UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/70/Add.4
13 September 1999

ENGLISH
Original: ARABIC

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Periodic reports of States parties due in 1998

Addendum

Jordan* **

[Original: ARABIC]
[5 August 1998]

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* For the initial report submitted by the Government of Jordan, see document CRC/C/8/Add.4; for its consideration by the Committee, see documents CRC/C/SR.143-145.

** The annexes referred to in the document and the appendix may be consulted in the files of the secretariat.

GE.99-44184 (E)

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Appendix - National Task Force for Children: periodic report by the non-governmental organizations in Jordan on the implementation of the Convention on the Rights of the Child during the period 1993-1998

Introduction

1. Throughout the last three decades, both the State and civil institutions in the Hashemite Kingdom of Jordan have shown considerable concern for the development of children. In keeping with the comprehensive view of child care as a national duty, concerted governmental, private and family endeavours are essential in order to achieve the desired aims and place child development in its proper context in a manner consistent with the international humanitarian view of this important section of society.

2. Accordingly, the authorities and the people of Jordan have made every endeavour to respond to the international appeals for children and their future in various fields and forms. A review of this benevolent attitude shows that His Majesty King Hussein has accorded the Jordanian people his full care and concern and this high standing that they enjoy in His Majesty's eyes is reflected in the manner in which emphasis has been placed on the phase of childhood and the need to strive to achieve the highest standards of education, health, awareness, culture and social welfare.

3. Jordan has made many achievements for the benefit of children. In particular, the National Plan of Action for Children during the period 1993-2000, which was one of the basic fruits of the National Conference held in 1992, supplemented Jordan's outstanding record in the field of child welfare which has set an example in the Arab World and the region.

4. The Hashemite leadership's concern for child-related issues was manifested in its finest and most splendid form when His Majesty King Hussein issued instructions to the effect that his private palace was to be converted into a shelter where orphans would be accommodated and provided with the highest standards of comprehensive care. Her Majesty Queen Noor al-Hussein is also a very diligent patron of the National Task Force for Children, the main umbrella for the institutions, departments and organizations concerned with this important category, which was established by royal decree in 1995. It is noteworthy that, in the field of the care and development of children, Jordan is doing its utmost to keep pace with the changes taking place throughout the world and, to that end, the official and private institutions are making a concerted effort as a single team to ensure a bright future for coming generations.

5. Jordan is submitting this second report on its implementation on the Convention on the Rights of the Child in compliance with the provisions of article 44, paragraph 1 (b), of the Convention, being convinced of the importance of the rights of children who constitute the youth of the future. During the last eight years, Jordan has faced internal and external obstacles, particularly the economic and social consequences of the second Gulf war in 1991 which had an adverse effect on Jordanian society and caused a number of problems due to the pressure on basic services within Jordan's limited resources, the increase in the rate of unemployment among Jordanians which has risen to 14.4 per cent, the increase in the rate of general poverty which has risen to 19 per cent and the increase in the rate of abject poverty which has risen to 5 per cent. The rates of unemployment and poverty are expected to rise even further due to the bad economic situation and the constantly increasing population. Consequently, these obstacles have affected the

services that are provided for children in various fields as already indicated by the Committee on the Rights of the Child in its observations on Jordan's report for 1993. In spite of all these challenges, however, Jordan's official endeavours are still continuing in an attempt to overcome these problems in cooperation and coordination with the voluntary and private sectors and the international organizations concerned with children.

6. In order to strengthen the role of the governmental sector in the field of children and the family, particularly in view of the increasing number of cases of child abuse and assault, a Higher National Committee, comprising representatives of all the governmental sectors, has been formed and a special unit for family and child protection has been established at the Directorate of Public Security to deal with victims of the phenomenon of domestic violence.

7. The measures taken by Jordan to implement the provisions of the Convention on the Rights of the Child, article by article, are as follows.

Article 1

8. Article 43, paragraph 2, of the Jordanian Civil Code of 1976 sets the age of majority at 18 Gregorian years.

Article 2

9. Non-discrimination is a binding principle in the Jordanian Constitution, article 6 of which stipulates that Jordanians are equal before the law without any discrimination among them in regard to their rights and obligations on grounds of race or religion.

10. Although the Jordanian Constitution does not contain any specific provision concerning child categories, it does embody general provisions which also apply to children in Jordan. While the Constitution (art. 6) makes no distinction whatsoever between male and female citizens, including children, some regions are suffering from an ongoing attachment to inherited social customs and traditions that discriminate between males and females. However, the extent of this discrimination is gradually diminishing and attempts have been made, through academic curricula, to eliminate gender-based differentials as the Committee noted in its observations concerning the survival of some customs and traditions. This concept was affirmed in the Abolition of Slavery Act of 1929, which eliminated racial and class distinctions in Jordan, and subsequently in the Executive Council Decree of 1931 which prohibited the white slave trade.

11. In accordance with the Declaration on the Rights of the Child, every child has the right to develop in conditions of freedom and dignity. In this regard, article 7 of the Constitution stipulates that the personal liberty of all citizens shall be safeguarded. Article 6, paragraph 2, further stipulates that the State shall guarantee peace of mind and equality of opportunity for all Jordanians without exception. According to the Constitution, the State also undertakes to provide education within the limits of its resources, primary education being compulsory for Jordanians and free of charge at government schools. However, the Jordanian Constitution does not make

detailed reference to children, other laws and regulations being more appropriate instruments to deal with matters concerning the fulfilment of the needs of Jordanian children.

Article 3

12. The interests of the child are a matter of primary concern to public and private social welfare institutions, the courts, the administrative authorities and the legislative bodies. Accordingly, the Ministry of Social Development takes the interests of the child into consideration. This is clearly illustrated by the development of the structure and functional role of the social welfare institutions, particularly the Al-Hussein Social Foundation. The Ministry is currently searching for more appropriate alternative buildings for other institutions in order to increase the number of activities that they offer for children. The Ministry is also seeking qualified staff for possible appointment at these institutions and is cooperating and coordinating with other children's organizations.

13. The Ministry of Social Development is endeavouring, within the limits of its resources and capacities, to meet the standards set by the competent authorities in the fields of public health, safety and staffing in order to develop the institutions in a manner that attracts the attention of decision makers.

14. Annex 1 contains a report by the Ministry of Social Development on the measures taken to promote the welfare of children.

Article 4

15. With regard to economic, social and cultural rights, all the measures taken were detailed in Jordan's report on the International Covenant on Economic, Social and Cultural Rights which was submitted to the Office of the United Nations High Commissioner for Human Rights at Geneva at the beginning of the present year.

Article 6

16. Jordan acknowledges that every child has the right to life, which must be safeguarded by legislation and the fulfilment of other basic requirements.

17. The main aim of Jordanian legislation on the protection of children is to protect them from being killed. To this end, from the time when the foetus is formed in its mother's womb, abortion is deemed to constitute a legally prohibited act the perpetrators of which, as well as anyone who aids or abets therein, are liable to the penalties prescribed in the Penal Code (Act No. 16 of 1960). The State also protects children, after birth and until the age of majority, from physical and psychological ill-treatment. To this end, it acts in collaboration with all the voluntary, international and official bodies concerned and shows no leniency towards anyone who attempts to violate any of the rights of the child.

18. Article 321 of the Penal Code stipulates that: "Any woman who terminates her pregnancy by inducing an abortion or allowing another person to induce the said abortion shall be liable to a penalty of imprisonment for a term of six months to three years."

19. The law is even harsher towards a person who aborts a woman with her consent, the minimum penalty for this being increased from six months' to one year's imprisonment and, if the woman dies as a result of the abortion, the offender is liable to a term of not less than five years' imprisonment.

20. Article 322 of the Penal Code stipulates as follows:

> "1. Anyone who in any way induces an abortion in a woman with her consent shall be liable to a term of one to three years' imprisonment.
>
> "2. If the abortion or the means used to induce it lead to the woman's death, the offender shall be liable to a term of not less than five years' imprisonment with hard labour."

21. If a woman is deliberately aborted without her consent, the offender is liable to a term of up to 10 years' imprisonment with hard labour. If the woman dies as a result of the abortion, the minimum penalty is 10 years' imprisonment with hard labour (art. 323 of the Penal Code).

22. Jordanian legislation attempts to preserve the standards of the medical profession and protect it from the commission of any act that could mar its unblemished image. Accordingly, article 325 of the Code increases the penalty by one third if the perpetrator of any of the offences referred to in the section concerning abortion is a physician, a surgeon, a pharmacist or a midwife.

23. The above-mentioned penalties show that it is a punishable offence for anyone to abort a foetus since the child and the child's mother are entitled to all forms of prenatal and post-natal care and welfare in order to ensure that the child is born healthy and free from diseases and retardation and also in order to overcome any social circumstances that might prompt the mother or others to kill the child by resorting to abortion.

24. It is also a punishable offence for a mother to kill her child in order to save herself from dishonour or out of fear of the scandal that an illegitimate birth would provoke. Article 332 of the Code stipulates that: "A mother who, through a deliberate act or omission, causes the death of her newborn illegitimate child in order to save herself from dishonour shall be liable to a penalty of not less than five years' detention."

25. If a woman who has been sentenced to death under the terms of a final criminal judgement is found to be pregnant, by law her sentence must be commuted to life imprisonment with hard labour (art. 17 of the Code).

26. The provisions of the Islamic Shariah are likewise strict in this regard since they prohibit the killing of a human being for any reason whatsoever and prescribe death as the penalty for anyone who kills an innocent person. In fact, Islamic law regards a foetus as a person whom it is prohibited to kill.

As stipulated in verse 33 of the chapter of the Holy Koran entitled "The Night Journey": "You shall not kill anyone whom God has forbidden you to kill, except for a just cause. If a person is slain unjustly, his heir is entitled to satisfaction, but let him not carry his vengeance too far lest his victim be in turn assisted and avenged."

Articles 7 and 8

27. The right of the child from birth to a name and a nationality is a human need and a legal right that everyone should enjoy. With regard to the measures that are taken in Jordan to register the birth of a child, article 16 of the Personal Status Act No. 34 of 1973, as amended, reads as follows: "Births must be notified, within 30 days from the date of their occurrence, to the office within the jurisdiction of which they occur. If there is no office in the area in which they occur, the local headman must be notified and he, in turn, must notify the competent office within 30 days. This period shall be doubled if the birth occurs outside the borders of the Kingdom. In every case, notification must be effected on the form prepared for that purpose."

28. Hence, Jordanian law allows up to a maximum of 30 days for the registration of a birth, which must include the child's name if the birth takes place in Jordan, or up to a maximum of 60 days if it occurs outside the Kingdom. If a birth is notified after the legal deadline but within one year from the date of its occurrence, the civil registrar enters it in his records after making the necessary inquiries and ascertaining the correctness of the notification, as stipulated in article 37: "If a birth or death is notified after the legal deadline but within one year from the date of its occurrence, the registrar shall enter it in his records after making the necessary inquiries and ascertaining the correctness of the notification."

29. If a birth is notified more than one year after the date of its occurrence, an order must be issued by a justice of the peace before registration can be effected. This is in accordance with article 38 (a) of the same Act which stipulates that: "Without prejudice to the provisions of paragraph (b) of this article, justices of the peace shall be competent to hear petitions for rectification of entries in the personal status records or in the register of the Ministry of Health. They shall also be competent to hear petitions for the registration of births and deaths and to verify details and facts relating thereto if such births and deaths are notified more than one year after the date of their occurrence. In such cases, the court may hear any evidence that it deems necessary in order to verify the details and facts concerning the birth or death in question."

30. The right to a name means a person's right to distinguish himself from others by having a different name. Each name has two components: a first name and a patronymic. Under Jordanian laws and legislation, names are both required and carefully regulated, as illustrated by article 38 of the Civil Code which stipulates that: "Every person shall have a first name and a patronymic, the latter being appended to the names of his children."

31. Difficulty arises in the abnormal case of illegitimate children who, by law, must assume the patronymic of their father. According to article 23 of the Civil Status Act: "If the child is illegitimate, the name of the child's

father and/or mother shall not be entered in the register of births if they submit a written request to that effect or if such is required under the terms of a court order. The registrar must choose names for the child's parents and any registration of birth in a manner contrary to the provisions of this article shall be deemed null and void in regard to the name of the father or mother."

32. This article clearly shows that, in the case of an illegitimate child (a child born out of wedlock), the civil registrar chooses a name for the child, i.e. a name for the child's parents if they do not wish their names to be registered, and submits a written request to that effect or if such is required under the terms of a court order. Any registration that is effected without due regard for the above is null and void as far as the names of the mother and father are concerned. However, article 24 stipulates that one or both of the parents may contact the registrar and inform him of his, her or their true names, provided that this is done by means of a written declaration signed by the declarant and attested by two known witnesses in accordance with the provisions concerning proof of parentage as set forth in the relevant legislation.

33. Article 24 of the Jordanian Civil Status Act stipulates as follows: "Before the registration of the birth of an illegitimate child the identity of one or both of whose real parents has not been disclosed, one or both of the parents may present themselves before the registrar and acknowledge the child by means of a written declaration attested by two known witnesses in accordance with the provisions concerning proof of parentage as set forth in the relevant legislation." However, by way of exception to the preceding articles, the registrar must not record the name of the father and/or the mother, even if requested to do so, in the following cases:

(a) The names of the parents must not be recorded if they are within the degree of kinship that precludes marriage;

(b) The mother's name must not be recorded if she is married and the child was not fathered by her husband.

34. A name is one of the general inalienable rights inherent in personality. Any infringement of a name entitles its owner to demand not only the cessation of such infringement but also compensation since a name enjoys the same protection as that accorded to personality itself. This protection also extends to pseudonyms. Jordanian legislation makes provision for the protection of names, as illustrated by article 49 of the Civil Code which stipulates that: "Anyone who contests the unjustifiable use of his name or patronymic by another person and anyone whose name and/or patronymic is assumed by another person has the right to require the said other person to desist from such infringement and also has the right to claim compensation in respect of the damage suffered."

35. With regard to nationality, this is the basic criterion by which nationals are distinguished from foreigners and, as such, it constitutes a politico-legal relationship between the individual and the State. It attributes and ascribes every individual to the State to which he belongs, vests him with citizenship thereof and gives rise to corresponding rights and

obligations. The individual must be loyal and obedient to the State and must respect its laws and defend it while the State, for its part, provides the person with shelter and protection, defends his interests at home and accords him diplomatic protection abroad. In many countries, acquisition of nationality is based on birthright in the sense that the child acquires the nationality of his or her father and/or mother.

36. Article 5 of the Constitution stipulates that: "Jordanian nationality shall be defined by law." Article 33 of the Jordanian Civil Code likewise stipulates that: "Jordanian nationality shall be regulated by a special enactment." Accordingly, the Nationality Act, which has been amended several times and most recently in 1987, specifies who is a Jordanian and sets forth the conditions for the acquisition and relinquishment of Jordanian nationality, etc. Article 2 of the Nationality Act defines a Jordanian as "any person who holds Jordanian nationality in accordance with the provisions of this Act". Under the terms of article 3, Jordanian nationality is enjoyed by the following persons:

1. Anyone who obtained Jordanian nationality or a Jordanian passport under the terms of the Jordanian Nationality Act of 1928, as amended, or Act No. 6 of 1954.

2. Any non-Jew who held Palestinian nationality before 15 May 1948 and was normally resident in the Hashemite Kingdom of Jordan during the period from 20 December 1949 to 16 February 1954.

3. Anyone born to a father holding Jordanian nationality.

4. Anyone born in the Hashemite Kingdom of Jordan to unknown parents insofar as, failing evidence to the contrary, any foundling discovered in the Kingdom is deemed to have been born there.

5. All members of the northern nomadic tribes referred to in article 25, paragraph (j), of the Provisional Electoral Act No. 24 of 1960 and who were actually resident in the territories that were incorporated in the Kingdom in 1930.

37. According to article 9 of the Act, the children of a Jordanian are Jordanians regardless of their place of birth ("The children of a Jordanian, wherever they were born, are Jordanians"). Under the Act, a minor also has the right to retain his Jordanian nationality if his father acquires another nationality ("A minor child whose father acquires a foreign nationality shall retain his Jordanian nationality").

38. A person applying for Jordanian nationality is required to meet a number of conditions. For example, he must be of good conduct and reputation, without any criminal record, and must not compete with Jordanians for employment, otherwise he is not granted the nationality.

39. The Jordanian Nationality Act was quoted in detail in the report that Jordan submitted to the Committee on the Elimination of Racial Discrimination at the end of 1997.

Articles 12 and 13

40. With regard to freedom of opinion and expression, article 15, paragraph 1, of the Jordanian Constitution stipulates as follows:

> "1. The State guarantees freedom of opinion and every Jordanian shall be free to express his opinion orally, in writing, pictorially or through any other form of expression permitted by law.
>
> "2. The press and printing shall be free within the limits of the law."

41. Jordanian legislation recognizes the right of the child to express his or her opinion orally, in writing or through the available information media, including children's radio and television programmes and the children's sections of the official daily newspapers.

Article 14

42. Jordan expressed a reservation concerning article 14 of the Convention on the ground that it granted a child the right to choose his or her religion, which is incompatible with the principles of the Islamic Shariah, bearing in mind the fact that Jordanian society consists of a Muslim majority (over 90 per cent), most of the remaining minority belonging to Christian communities. The Jordanian Constitution guarantees the right of individuals to engage in religious observances provided that they are consistent with public order and morals. As stated in article 14 of the Constitution: "The State shall protect freedom of religious observance and belief in accordance with the customs observed in the Kingdom provided that they are not detrimental to public order or morals."

43. Chapter six, section I, of the Jordanian Penal Code prescribes penalties for offences against religion. Under article 273: "Any person who is found to have publicly maligned the prophetic sources of religious law shall be imprisoned for a period of one to three years." Under article 275: "Any one who damages, destroys or desecrates a place of worship, an emblem or any object held sacred by a community with the intention of insulting the religion of that community, or in the knowledge that the community would regard such an act as an insult to its religion, shall be punished by imprisonment for a period of one month to two years or by a fine of 5 to 50 dinars." Under article 278:

> "A penalty of imprisonment for a period of not more than three months, or a fine not exceeding 20 dinars, shall be imposed on any person who:
>
> "1. Publishes any printed, written, pictorial, graphic or symbolic material that is likely to offend the religious susceptibilities or insult the religious beliefs of other persons;
>
> "2. Utters, in a public place or within hearing of another person, a word or a sound that is likely to offend the religious susceptibilities or beliefs of another person."

44. There are two institutions responsible for matters relating to Islamic affairs and holy places. The first, the Office of the Chief Justice, deals with matters of personal status (marriage, divorce and inheritance) in accordance with the provisions of the Islamic Shariah while the second, the Ministry of Awqaf and Islamic Affairs and Holy Places, is responsible for the administration of Islamic affairs, holy places and awqaf (religious endowments).

45. The Christian communities also have two regulatory institutions. The first, the Ecclesiastical Court of each community, is responsible for matters of personal status (marriage, separation, legal filiation of children, etc.) involving members of its community. The second, the Religious Community Council, has jurisdiction, under the terms of article 6 of the Non-Muslim Religious Community Councils Act, to consider and decide on matters relating to the Constitution and administration of religious endowments for the benefit of its community. However, the ordinary courts have jurisdiction to hear and settle disputes in which any of the parties are Muslims or from another religious community unless all the parties agree to accept the jurisdiction of the Council of the religious community for the benefit of which the religious endowment was constituted, in which case the said Council can exercise such jurisdiction. The Religious Community Councils are also responsible for the construction, maintenance and administration of the community's churches and the supervision of its charitable institutions, associations, hospitals, clubs and schools.

46. Some Jordanian legislative enactments contain provisions concerning the religious rights of children insofar as the child's parents or legal guardian are entitled to regulate their family life in accordance with their religion. Under the terms of article 65 of the Education Act, private schools must follow the curricula and books decided upon by the Ministry for the compulsory stage of education from 6 to 15 years of age, Muslims being provided with Islamic religious instruction in accordance with the specified curricula and books and non-Muslims being provided with instruction in their own religion. Under article 71 of the Education Act, no private educational institution may teach any student a religious faith other than his own or which is contrary to the Constitution and laws of the Kingdom. Under article 77, the provisions of the Act do not apply to the curricula of schools which train students to officiate at church services or enter monastic life.

Article 15

47. With regard to freedom of association and of peaceful assembly, an association is defined as any group of persons organized on a permanent or ongoing manner for a specified or indefinite period and for a non-profit-making purpose. In principle, approval must be obtained for the establishment of any association, body, union or organization within a specific framework for the achievement of legitimate scientific, cultural, social, political or religious aims.

48. Article 16, paragraph 2, of the Constitution stipulates that: "Jordanians have the right to form associations and political parties provided that their aims are legitimate and pursued by peaceful means and that their statutes do not violate the provisions of the Constitution." As required by

the Constitution, the manner of formation of associations and the control of their resources are regulated by law, specifically by the Charitable Associations and Social Service Organizations Act No. 33 of 1966, as amended. Article 2 of the Act defines an association as any grouping of seven or more persons established for the basic purpose of organizing their endeavours to provide social services for citizens without seeking material profit, dividends, personal benefit or the achievement of any political aims. This excludes political associations or associations and bodies that can be formed only under the terms of special legislation.

49. In accordance with the above-mentioned Act, the approval of the Minister for Social Development must be obtained for the establishment of charitable associations and bodies. The Minister may consult the chief administrator of the area in which the association is to be established. Under the terms of the Act, the statutes of such associations, bodies or federations must specify, in a detailed and clear manner, the principal objectives for which they were established, as well as any other objectives that they are seeking to achieve. Each charitable association or social body is issued with a certificate of registration signed by the Minister, stamped and appended to an authenticated copy of the association's statutes and the registration is announced free of charge in the Official Gazette. In accordance with article 13 of the Act, the Ministry keeps a record of all registered charitable associations, social bodies and federations in which it enters their names, centres of activity, aims and any other information that the Minister deems necessary. The Ministry's relationship with the various types of charitable associations, social bodies and federations is based on cooperation and partnership in the provision and enhancement of social services. The Director-General or any official delegated by the Minister is empowered to visit the premises of any charitable association, social body or federation and examine its records and documents in order to verify that its funds are being spent for the purposes for which they are intended and, in general, in order to ascertain that it is operating in accordance with the requirements of the Act and in a manner consistent with the aims specified in article 14 thereof.

50. With regard to voluntary organizations concerned with children, there are about 25 charitable associations providing the following services:

(a) Provision of aid for children in wartime. The General Federation has collected about $10 million in donations of milk and food which it has shipped to the children of Iraq since the outbreak of the war.

(b) Protection of vagrant children. The voluntary sector in Jordan has helped to provide protection and care for vagrant children by offering them educational opportunities and appropriate institutional care conducive to their proper physical, mental and social development. There are 12 voluntary-run boarding institutions which constitute about 50 per cent of the total number of such institutions in the Kingdom.

(c) The rights of disabled children. The voluntary sector has helped to establish the following centres for the disabled which can be found in all rural and urban areas:

27	centres for the mentally handicapped
5	centres for the aurally handicapped
8	cerebral palsy centres
3	centres for locomotor disabilities
6	centres for the visually handicapped
1	multiple disability centre
50	

These constitute about half of the total number of such centres in the Kingdom. Multi-purpose charitable associations also hold 27 daytime classes (16 for the mentally handicapped and 11 for the aurally handicapped).

(d) In the field of training, rehabilitation and preparation for employment, the voluntary sector helps to combat poverty and curb unemployment by opening vocational training and rehabilitation centres in rural areas in order to provide these services for the most disadvantaged categories, particularly girls, who have missed the opportunity to receive formal education or training. There are 341 voluntary-run centres providing training in dressmaking and weaving from which 4,000 female trainees graduated in 1996, as well as 26 voluntary-run centres providing training in typing from which 322 persons graduated and 53 voluntary-run centres providing training in hairdressing from which 428 female trainees graduated during that year.

(e) Formal education. The voluntary sector has helped to provide educational opportunities for indigent children since voluntary associations are running about 36 schools at which educational services are provided for more than 24,000 male and female students.

(f) Health. There are about 78 voluntary-run health centres providing services, including free vaccinations and treatment for children, in poorer areas.

(g) Pre-school child care. The voluntary sector in Jordan is providing services for children at the nursery-school and kindergarten stages, particularly in rural and densely populated areas where 26,000 children from poor families are benefiting from 35 kindergartens that provide them with the necessary services virtually free of charge. There are also 57 nursery schools from which 1,100 children are benefiting.

(h) Research and studies. The General Federation has published research papers on the rights and needs of children, as well as a study on the situation of Jordanian children in the 5-20 age group, and has organized national and regional symposia on this subject.

51. With regard to the promulgation of a legislative provision concerning the rights of the child to freedom of association, the draft Children's Act which has been submitted to the Legislative Department at the Office of the Prime Minister for approval refers to the activities in which children can participate, namely sports, culture and the development of talents.

Article 17

52. For years, the Jordanian information media have been showing great concern for the rights of the child, as a result of which the Jordanian Radio and Television Corporation broadcasts programmes prepared by specialists familiar with the psychological, intellectual, mental and recreational needs of children. The daily programmes intended for children include the following: "The Children's Studio", "Fun Time", "Builders of the Future", "The Magic Lantern", programmes to mark special occasions, children's songs, plays, competitions, cartoon serials. The family programmes that are prepared by specialists and broadcast on radio and television at fixed times include "The Family Programme", "The Talk Show" and other special programmes.

53. With regard to cooperation and the international exchange of children's programmes, the Radio and Television Corporation is always ready to exchange cultural, recreational and social programmes with other States and broadcasts programmes that are suited to the comprehension and environment of Jordanian children.

54. Details concerning the production of children's books will be found below in the comments on article 31.

Article 19

55. In order to protect children from all forms of physical violence, injury or abuse, the Jordanian legislature has prescribed severe penalties for any offence committed against a child or juvenile under the age of majority. Article 289 of the Penal Code stipulates that: "Anyone who abandons a child under two years of age, without a legitimate or valid reason, in such a way as to endanger the child's life or in a manner likely to cause permanent damage to the child's health shall be liable to a penalty of one to three years' imprisonment.

56. With a view to protecting children from neglect or cruelty, the Penal Code stipulates that anyone who abducts a child under seven years of age, substitutes a child for another or attributes a child to a woman other than the child's mother is liable to a penalty of imprisonment for a period of three months to three years, the minimum penalty being six months if the purpose of the offence was to alter the details of the child's personal status or have fictitious personal status information entered in the register (art. 287 of the Penal Code).

57. Under article 302 of the Code, anyone who abducts a juvenile under 15 years of age is liable to a penalty of two to three years' imprisonment unless the abducted juvenile was female, in which case the abductor is liable to a longer term of imprisonment with hard labour. Under article 310, anyone who incites a juvenile under 15 years of age to engage in an immoral act is liable to a penalty of imprisonment for a period of one month to three years if the court is convinced that the juvenile was harmed thereby.

58. The severity of the penalty for indecent assault with violence is evident from article 296 of the Penal Code, which prescribes a term of four years' imprisonment therefor, the minimum penalty being increased to

seven years if the victim was under 15 years of age. The same applies to indecent assault without violence, for which article 298 of the Penal Code prescribes a minimum penalty of five years' imprisonment with hard labour if the victim was under 12 years of age.

59. With regard to violation of the custody of a minor, article 291 of the Penal Code stipulates that anyone who abducts or takes away a minor under 15 years of age with a view to removing the minor from the authority of the person exercising guardianship or custody is liable to a penalty of imprisonment for a term of one month to three years. If deceit was used, the penalty is increased to a term of three months to three years and, if deceit was used against a person under eight years of age, the penalty is a term of two months to two years (art. 418 of the Penal Code).

Article 20

60. With regard to the right of a child temporarily or permanently deprived of his or her family environment to protection and assistance provided by the State, the public and private voluntary sectors are implementing seven programmes under which orphaned children are provided with shelter and care.

61. The national legislation that makes provision for alternative care for such children consists in:

The National Assistance Fund Act No. 36 of 1986.

The Juveniles Act No. 34 of 1968, as amended in 1983.

The Child Welfare Ordinance No. 34 of 1972.

62. The care provided includes guardianship, support (provided that the child remains within the institution) and accommodation until the child reaches the age of 18.

Article 21

63. Jordan expressed a reservation concerning the provisions relating to adoption since adoption is not legally permissible in Islam, being clearly prohibited in the fourth and fifth verses of the chapter of the Holy Koran entitled "The Confederate Tribes" which read as follows: "... and He does not regard your adopted sons as your own sons. These are mere words which you utter with your mouths, but God declares the truth and guides to the right path. Name your adopted sons after their fathers; that is more just in the sight of God". With these words, God abolished the system of adoption and prohibited the use of such false patronymics, it being more just and proper for people to be known by their true lineages. This was confirmed by the words of the Prophet (upon whom be peace): "Paradise shall be closed to anyone who claims to be the son of a person other than his true father" and "Anyone who knowingly claims to be the son of a person other than his true father commits an act of unbelief".

64. However, Islam advocates the system of kafalah (a form of tutorship equivalent to adoption) in accordance with the provisions of the Shariah.

Islam also advocates charity and aid for the needy. In this way, children deprived of a family environment can be reared, maintained, sheltered and cared for, enjoying the status of natural children without being adopted and subject to the condition that they must retain their original lineage without being linked to that of their tutor so that, by law, they are not entitled to the inheritance or maintenance-related rights that his natural children would enjoy. We should not forget that Islam stresses the importance of such care for children who are fatherless, orphaned or of unknown parentage. In the words of Almighty God: "Do not wrong the orphan, nor chide away the beggar". In the words of the Prophet (upon whom be peace): "The orphan's tutor and I will be like this in Paradise" (he held up his middle and forefingers, indicating that they would be neighbours in Paradise).

65. Islam has not departed from the concept of the care of children deprived of a family environment; in fact, it emphasizes the importance of such care and promises a reward for those who provide it. However, such care is regulated within certain limits insofar as the child continues to retain his lineage and separate personality without being linked to the lineage of the family in which he is living.

Article 22

66. With regard to the rights of refugee children, the Committee regarded the existence of Palestinian refugees in Jordan as one of the difficulties impeding the implementation of the Convention. In fact, Jordan has faced economic and social difficulties as a result of the Gulf war and the consequent repatriation of many persons who had been working in the Gulf States, as well as the influxes of Iraqis, which led to the emergence of many economic difficulties and social problems together with an increase in the phenomenon of unemployment with its resulting poverty, all of which had an adverse effect on the lives of children. The services rendered by UNRWA to Palestinian refugees were also curtailed due to that Agency's accumulated budgetary deficit. It should be borne in mind that about 18.5 per cent of the Palestinian refugees residing in the territory of the Hashemite Kingdom of Jordan are living in camps. The Jordanian Government undertook to make up for the shortage in the Agency's services in the camps and also to cover the costs of those services outside the camps, even though this placed a heavy burden on the Jordanian Treasury.

67. It is also noteworthy that there are about 150,000 Iraqi refugees, half of whom are registered with the Ministry of the Interior; the others, who are not legally registered, are in a difficult socio-economic situation, being unable to work in view of the existing unemployment and their illegal status, and therefore have many family problems.

68. In addition to the phenomena of unemployment and poverty from which Jordanian society is suffering, the Palestinian refugee community is experiencing a severe ordeal due to the inadequacy of the health and educational services available to them, in addition to the following factors:

(a) The lack of sports fields, parks and playing and recreation areas for children;

(b) The widespread poverty and unemployment among refugee families, which adversely affects their psychological state of mind and the level of their academic achievement;

(c) The entry of children into the labour market in order to assist their families;

(d) The high disability rate due to poverty, lack of health care and marriage between relatives;

(e) The overcrowded classrooms and shortage of teachers at the UNRWA schools, most of which are operating a two-shift system due to the budgetary deficit from which the Agency is suffering;

(f) The inadequacy of the health services available to refugees due to the increasing demand for the primary health care services that UNRWA provides for refugees and their children and also due to the shortage of physicians, medical equipment and medicines at the Agency's clinics;

(g) The lack of infrastructure, such as connections to the sewage network, at the refugee camps and the low standard of sanitation due to the increasing population density inside the camps and the Agency's inability to appoint additional garbage collectors because of its financial deficit;

(h) The deplorable overall condition of the housing units, some of which were constructed at the time of the first influx of refugees and have not been renovated or rebuilt due to the Agency's lack of budgetary resources. This is adversely affecting the general health of the refugees and their children;

(i) The psychological factors arising from their status as refugees.

Signature of the Convention relating to the Status of Refugees

69. Jordan has not yet signed the Convention relating to the Status of Refugees for political reasons, particularly in view of the fact that this matter has not yet been settled within the framework of negotiations between the Arab States and Israel and remains an item on the agenda of the final settlement. Jordan is not the only State involved in this matter, which constitutes a regional problem of concern to Palestine, Jordan, the Syrian Arab Republic, Lebanon, Egypt, Iraq and Israel, all of which have varying numbers of Palestinian refugees living in their territory. In spite of this, however, Jordan is the State that has shown the greatest concern for refugee children by providing them with travel documents and civil identity cards, as well as health and family services.

70. It should be noted that the Jordanian Government has signed a memorandum of understanding with UNHCR (Annex 2).

Article 23

71. With regard to the rights of disabled children, the achievements of the Ministry of Social Development in the field of the care of the disabled are as follows:

(a) Promulgation of the Welfare of the Disabled Act No. 12 of 1993 which confirmed the right of the disabled to integrate in public life, their right to education, their right to work in a manner consistent with their abilities and qualifications, their right to participate in sports, their right to preventive health care and medical treatment, their right to a suitable environment and their right to take part in decision-making;

(b) The social and academic integration of disabled persons in the schools run by the Ministry of Education through the provision of 170 resource rooms;

(c) Promotion of community-based rehabilitation policies and programmes with a view to serving disabled persons in their areas of residence through the formation of local committees at the national and district levels;

(d) Employment of disabled persons in private workshops and companies and also in the official sectors in conformity with the principle of equality of employment opportunities. The number of disabled persons employed in this way amounts to 681;

(e) Application of a code of building requirements for disabled persons in accordance with the provisions of the Jordanian National Building Act No. 7 of 1993 pursuant to Council of Ministers Decision No. 3989 of 1993;

(f) Exemption of disabled persons from payment of public bus fares in Jordan pursuant to the decision taken by the Board of Directors of the Public Transport Corporation at its second annual meeting held on 21 September 1994;

(g) Exemption of disabled persons who leave the Kingdom for officially approved purposes, including medical treatment or participation in Arab and international sports championships, from payment of the departure tax in accordance with the provisions of article 8, paragraph (d) (x), of the Additional Tax Act No. 28 of 1991. The number of persons who have benefited from this exemption amounts to 200;

(h) Encouragement of disabled persons to pursue secondary and university studies to facilitate their integration in society. Modern technologies, such as the use of computers and books printed in Braille, are used as part of the teaching methods;

(i) An exchange of experience with a view to developing the work by bringing in volunteers, such as Japanese and American Peace Corps teams, from abroad. Twenty such volunteers have already arrived;

(j) Coordination with the Ministry of Health so that health insurance cards can be issued free of charge to disabled persons and their needy dependants who are not covered by any health insurance scheme. Approximately 6,578 such cards have been issued;

(k) Exemption of non-Jordanian workers from the charges levied in respect of work permits if they are brought in to work with severely disabled or crippled persons. The number of persons who have already benefited from this exemption amounts to 350;

(l) Disbursement of regular cash assistance from the Assistance Fund to disabled persons who do not benefit from institutional services to meet their needs. There are 1,500 such cases receiving amounts ranging from 20 to 60 dinars per month;

(m) Provision of financial support from the National Assistance Fund for associations operating in the field of special education. A total of 350,996 dinars has been paid to 72 such associations;

(n) Establishment of centres and institutions operating in the field of diagnosis, special education and community-based rehabilitation. A total of 141 such institutions have been established in all the official and voluntary sectors;

(o) Preventive early diagnosis of cases and organization of training courses for mothers so that they can be taught how to train their children;

(p) Exemption from payment of the costs of appliances and other requisites in individual cases (400 cases);

(q) Exemptions granted to enterprises for purposes of training and providing services for disabled persons (120 enterprises);

(r) Exemption from customs dues on vehicles for the disabled (400 cases) and from payment of the charges for driving licences for persons suffering from aural and locomotor disabilities;

(s) Participation by disabled persons in sports festivals and Scout and recreational camps in and outside Jordan;

(t) Holding of community-based rehabilitation seminars in collaboration with the International Labour Organization, in addition to the holding of conferences and the dispatch of disabled persons on mission to participate in conferences outside Jordan;

(u) Encouragement of voluntary associations to host classes for the disabled in order to facilitate their integration in society (31 classes have been held in various parts of the Kingdom);

(v) Issue of special cards to disabled persons in order to facilitate various aspects of their lives in accordance with the Welfare of the Disabled Act No. 12 of 1993.

72. Disabled persons are diagnosed and classified by various bodies such as the Ministry of Health, the Ministry of Social Development, Al-Hussein Medical City and other voluntary and private diagnostic centres and are provided with special preventive, therapeutic, health and psychiatric services. The Ministry of Health has implemented a preventive programme under which it became compulsory to add iodine to table salt and prenuptial medical examinations and consultations were provided free of charge, in addition to the Royal Medical Services which performed the requisite surgical operations on disabled persons in accordance with the conditions of their free health insurance cards.

73. The Early Detection Centre for Disabilities, which is run by the Maternity and Child Directorate of the Ministry of Health, provides the following services for disabled children:

(a) Preventive, therapeutic, health and psychiatric services;

(b) The diagnostic and classification services needed to determine the degree of disability, in collaboration with the Ministry of Social Development. On the basis of a report from the Centre, disabled children are enrolled at special education centres so that they can be rehabilitated in a manner consistent with their individual abilities;

(c) Health insurance cards are issued to disabled persons on the Centre's recommendation, thereby ensuring their access to free health care at the location closest to their place of residence;

(d) Provision of genetic and nutritional consultations for disabled persons suffering from hereditary diseases such as phenylketonuria, for which the Centre makes special milk available free of charge for persons suffering therefrom;

(e) Dissemination of health awareness concerning disabilities, their causes and means to prevent them;

(f) Cooperation and coordination with all the bodies and institutions concerned with the disabled with a view to ensuring that the latter receive the best possible services.

74. The Centre provides the following services with a view to preventing disabilities:

(a) Implementation of the prenuptial medical examination programme for which a number of health centres have been equipped so that they can provide these non-compulsory services;

(b) Early detection of congenital dislocation of the hip through ultrasonography in collaboration with the Al-Bashir Hospital.

75. The Ministry of Health has also taken the following measures:

(a) The National Acoustic Centre diagnoses aural disabilities and provides speech-training services and hearing aids;

(b) The rehabilitation and physiotherapy units at all the government hospitals provide physical rehabilitation services and the splint and artificial limb unit at the Al-Bashir Hospital also provides services for disabled children;

(c) Physicians and medical staff are trained in the early detection of disabilities and the provision of health care for disabled children. The families of disabled children are also trained to deal with them and care for them. A national register of disabled persons, which will be compiled this year, will constitute a databank on disabilities for various purposes, including an international exchange of information.

Articles 24 and 25

76. With regard to the right of the child to enjoy the highest standard of health, Annex 3 contains a report on the health situation of children in Jordan.

Article 26

77. Since 1980, the Public Authority for Social Security has been applying the provisions of the Social Security Act which covers a number of types of insurance, two of which are in operation: insurance against industrial accidents and occupational diseases and insurance against old age, disability and death. The social insurances that are being applied benefit persons working for private sector enterprises employing five or more workers, as well as employees of government departments and institutions, municipalities and universities throughout the Kingdom.

78. The main aim of social security is to ensure a decent life for subscribers and their families through the payment of pensions in the event of old age, disability or death, thereby providing the family, including children, with an income sufficient to guarantee their enjoyment of a decent lifestyle, development, education and health. Under the social security scheme, persons supporting dependent children are entitled to higher pensions and in the event of the death, in service or after retirement, of any subscriber to the scheme, a pension is distributed among the members of his family. The Social Security Act guarantees the right of his children to half or, in certain cases, three quarters of this pension.

79. The pension supplements for dependants and the proportions allocated to surviving children continue to be paid until the male children reach the age of 18 or until such time as they complete their studies if they are attending a university. In the case of females, the payments continue, regardless of age, until they find employment or marry.

80. Although the Social Security Act makes provision for family support and health insurance, these two types of insurance are not in operation at the present time. However, the Public Authority for Social Security is currently studying the possibility of their future application as soon as the necessary financial resources become available so that children will be able to benefit from the security provided by these two insurances.

81. It is noteworthy that several proposals have been made to the effect that the Social Security Act should include a special article under which women would be entitled to social security, loan, pension and other financial benefits with the possibility of combining their pensions with those of their deceased husbands and passing on their pensions, by inheritance, to their children.

Article 27

82. The extended family is fully responsible for the maintenance of its children if their father is destitute or unable to maintain them. Article 171 of the Personal Status Act stipulates that: "If the father is destitute, the obligation to maintain the child shall be transferred to the person who would have assumed it in the absence of the father". In other words, the obligation to maintain destitute children is borne by their wealthier relatives, who would inherit from them, in proportion to their shares of the inheritance. If an heir is indigent, the maintenance obligation is borne by the next most eligible heir, who can recover the costs of the maintenance from the primary heir if the latter's financial circumstances improve.

83. This legal provision reflects and confirms one of the basic aspects of the social solidarity and joint responsibility that form part of the religious and social traditions of the Arab family. It is more fitting that a needy person, particularly if he is young, should be supported by his family and relatives who, under Islamic law, have an obligation to maintain him.

84. Child support is not optional since, in addition to affirming that the father or testamentary guardian has an obligation to maintain the child, the law prescribes penalties for a father or testamentary guardian who fails to provide the child with the basic necessities of life. Article 290 of the Penal Code stipulates that: "Any father or testamentary guardian of a non-self-supporting child or a child legally placed in his custody and care who refuses or neglects to provide the child with food, clothing and a bed shall be liable to a penalty of detention for one month to one year. The same penalty shall be imposed on any father or natural or testamentary guardian of a child under 12 years of age who intentionally abandons the child."

85. It is a punishable offence for anyone to neglect to ensure the care and protection of his children or of children legally placed in his custody.

Legislative measures to ensure the collection of child maintenance from parents

86. Article 168 of the Jordanian Personal Status Act stipulates as follows:

> "(a) The maintenance of a child who does not have money of his or her own is an obligation on the child's father and this obligation is not shared by any other person unless the father is destitute and, owing to a physical or mental defect, unable to earn a living and provide such maintenance.

"(b) Child maintenance shall continue, in the case of a girl, until she marries if she is unable to earn a living by working and, in the case of a boy, until such time as his peers are able to earn a living, unless he is a student."

87. Article 169 further stipulates that: "A father whose financial circumstances place him under an obligation to maintain his children shall also have an obligation to pay the costs of their education, at all academic stages, until the child obtains a university degree, provided that the child is successful and shows an aptitude for education. The amount of maintenance shall be assessed in the light of the financial circumstances of the father but shall not be lower than the subsistence level."

88. Under article 170:

"1. A father who is obliged to maintain his children shall also have an obligation to pay the costs of their medical treatment.

"2. If the father is indigent and unable to pay the fees of a physician or the costs of medical treatment or education while the child's mother, on the other hand, is financially able to do so, she shall be obliged to pay the said fees and costs, which shall be regarded as a debt that she is entitled to recover from the father when his financial circumstances improve. The same shall apply if, owing to the father's absence, it is impossible to collect the money from him.

"3. If the mother and the father are both indigent, the person responsible for maintenance in the event of the father's inability shall also pay the costs of medical treatment or education, which shall be regarded as a debt recoverable from the father when his financial circumstances improve."

89. Under article 171 of the Act: "If the father is destitute owing to his inability to earn a living or if, although able to earn a living, his earnings suffice only to meet his own needs, the obligation to maintain the child shall be transferred to the person who would have assumed it in the absence of the father. Such maintenance shall be regarded as a debt which the said person shall be entitled to recover from the father if the latter's financial circumstances improve."

90. Under article 173: "The obligation to maintain indigent young persons and any indigent adult who is unable to earn a living due to a physical or mental defect shall be borne by their wealthier relatives, who would inherit from them, in proportion to the shares of their inheritance. If an heir is indigent, the maintenance obligation shall be borne by the next most eligible heir, who shall recover the costs of the maintenance from the primary heir if the latter's financial circumstances improve."

Articles 28 and 29

91. With regard to the right of the child to education, article 10 of the Education Act No. 3 of 1994, stipulates that:

(a) Basic education shall be compulsory and shall be provided free of charge at government schools;

(b) Pupils shall be admitted to the first year of basic education if they will have reached the age of six by the end of December of the academic year in which they are admitted;

(c) Pupils shall not leave school before reaching the age of 17 (the stage of basic education having been extended to the end of the tenth grade).

92. The Act made provision for the opening of a first-grade basic education class in every residential area in which there are 10 or more children of school age who require such education.

93. The enrolment rate at the basic stage of education amounts to 95 per cent and the administrative authorities of the Kingdom, acting in collaboration and coordination with the Ministry, take action against guardians who fail to enrol their children at school. This problem is being studied and it has been proposed that legislation should be promulgated under which guardians who fail to enrol their children at school or who encourage them to leave school would be liable to a fine.

94. The two-year kindergarten stage, although not compulsory, forms part of the pedagogic process since its main aim is to provide an appropriate environment in which to prepare children for the stage of basic education. It should also be noted that a parental awareness project, supported by UNICEF, is being implemented in order to compensate for the lack of kindergartens. In fact, only 25 per cent of all children (27 per cent of males and 23 per cent of females) in the age group 4-5 years were attending the 833 kindergartens operating throughout the Kingdom, but especially in the governorates of Amman, Zarqa and Irbid, during the academic year 1996/97. Although these kindergartens, which are operated mainly by the private voluntary sector under the technical and administrative supervision of the Ministry of Education, have increased in number, given the size of the population they are still insufficient to meet the actual needs. Consequently, further technical and financial support should be provided for the establishment of more kindergartens and the training of more male and female supervisory staff.

95. The quality of the counselling services available to schoolchildren has been improved as about 20 per cent of the pedagogic counsellors working in this field in the period 1993-1997 held a relevant diploma or Master's degree.

96. The pedagogic counsellors and the security and social development authorities are cooperating and coordinating their endeavours to provide protection and care for children and juveniles who are endangered or subjected to abuse, violence or exploitation. The role of the pedagogic counsellor is to identify such cases and refer them to the family protection units that have recently been established at police stations so that the necessary measures

can be taken to protect children. The supervisor monitors the child's situation while the family protection unit takes any further measures that might be needed.

97. Five specialized symposia have been held on the topic of children exposed to abuse, violence and exploitation and preventive and remedial programmes have been formulated to protect children from such ill-treatment. These symposia were attended by schoolchildren, parents, guardians, teachers, headmasters, educationalists and persons concerned with this question in institutions, universities and the police forces. Information institutions and the various information media, acting in collaboration and coordination, have broadcast radio and television programmes designed to stimulate local community awareness and explain not only the role of the family in the provision of the necessary child care but also the manner in which parents and teachers should handle children in order to protect them from problems or subjection to exploitation, violence and ill-treatment.

98. The two-year stage of secondary education is divided into two branches: academic education and vocational education. The latter provides training in crafts, commerce, agriculture, the hotel industry and nursing, as well as child care which has recently been introduced as a field of specialization. The enrolment rate for this stage of education amounted to 70 per cent (72 per cent female and 68 per cent male) during the academic year 1997/98. The illiteracy rate has also dropped to 13.3 per cent (19 per cent for females and 11 per cent for males) in the 15+ age group.

99. A study is being prepared, in cooperation with the Ministry of Health, to identify the psychological problems that children face at school so that preventive and remedial programmes can be formulated, including a national plan to improve and protect the health of adolescents. A start has also been made on the implementation of a vocational orientation project for rural girls in order to dissuade them from dropping out of school and help them to increase their family's income.

100. It is noteworthy that the Ministry agreed to the enrolment at government and private schools of non-Jordanian students who had not obtained a residence permit for the academic year 1997/98 and it is also cooperating with the Ministry of the Interior with a view to making arrangements for their admission during the next academic year 1998/99.

The rights of the child in regard to special education during the period 1993-1997

101. In view of the urgent and increasing need to cater for students with special needs at the schools run by the Ministry of Education, and in accordance with the provisions of the Welfare of the Disabled Act No. 2 of 1993 and the Education Act No. 3 of 1994 concerning the need to extend the range of educational services provided and include therein special education programmes and programmes for unusually talented students, an administrative unit known as the Special Education Department was established on 5 July 1993 and was subsequently developed into a Special Education Directorate comprising

three departments (Educational Counselling, Remedial Education and Programmes for Outstanding Students) under the umbrella of the Directorate-General of Education.

102. The achievements made in regard to the provision of special services for students with special needs are as follows.

103. The number of resource rooms established in the academic year 1997/98 amounted to 120 and is expected to rise to 175 during the year 1998/99. They provide specialized services for students who are slow learners, dyslexic or suffering from minor mental handicaps. During the academic year 1996/97, the number of male and female students in each such room ranged from 20 to 25.

104. The Ministry of Education, acting in cooperation with the Ministry of Social Development, admits deaf students to its schools from the seventh and eighth grades in which the total number of such male and female students amounts to 47 and two special classes have been opened for students in the first basic grade in the districts of Ma'an and southern Shuna. Blind students have been incorporated in the education system through the opening of a special class for them at a school in Amman's district No. 2 in cooperation with the Al-Dhia (Light) Association for the Blind. A class has also been opened, in cooperation with the Cerebral Palsy Association, at a school in Amman's district No. 1 for students suffering from that disability. It is noteworthy that the directives concerning the criteria for success, failure, completion of studies and secondary-level examinations have been amended for deaf students and all the departments of education throughout the Kingdom have been instructed to provide the facilities needed to make it easier for students with special needs to enrol at schools. In the academic year 1998/99, a total of 263 resource room teachers were trained under the terms of an agreement signed to that end. A policy of expediting the advancement of outstanding students is also being implemented (14 male and female students in this category from various government and private schools have benefited from this policy). In spite of these achievements, however, no more than 5 per cent of the needs of these categories are being met and, notwithstanding the endeavours that are being made by the Ministry of Education, the lack of financial and technical resources is still impeding the implementation of the plan to cater more effectively for the requirements of children with special needs.

School health

105. In 1997, the number of students who were medically examined amounted to 304,575 (97 per cent of the total number required to undergo such examinations in the first, fourth, seventh and tenth grades). In 1993, the corresponding number amounted to 289,767 (likewise 97 per cent of the total number of students to be examined).

106. The number of students found to be suffering from various pathologies and who were referred to health centres for treatment amounted to 13,896 in 1997, as compared with 15,255 in 1993.

107. The number of pathological cases treated in the schools amounted to 17,779 in 1997, as compared with 19,290 in 1993.

108. The number of students vaccinated under the National Vaccination Programme amounted to 365,435 in 1997, as compared with 254,684 in 1993.

109. The Health Education Programme continued at all the schools in order to raise the level of health awareness among students.

110. The principal health projects that were implemented for the benefit of students included the school community project, which focuses on student participation in the planning, implementation and evaluation of health education, and the school health project, which focuses on the school environment.

111. The project under which students were provided with prescription spectacles free of charge was continued at the Government-run basic education schools.

112. Children from poor families who were referred to medical centres were provided with a full range of medical treatment free of charge.

School meals

113. Some parts of the Kingdom are suffering from a lack of economic resources, which has an adverse effect on the health situation of children due to the higher incidence of malnutrition and other diseases for which school nutrition projects need to be implemented. The Ministry, acting in collaboration with the World Food Programme, is currently studying a school nutrition project under which an estimated 60,000 male and female students attending about 700 basic education schools in the least affluent areas will be provided with a meal designed to meet one third of their daily nutritional needs. The Ministry is also currently developing a school nutrition project in collaboration with local institutions to provide the funds needed to feed about 30,000 students in the first to third basic education grades.

School cafeterias and the Red Crescent

114. Students have helped to establish 2,098 school cafeterias. They are also playing a role in the management of their sales, purchases and records and in the election and appointment of all their committees. This is helping to familiarize students with the ideological and practical aspects of the concepts of democracy and cooperation.

115. The cafeterias have been instrumental in reducing the number of traffic accidents since the students are no longer obliged to leave the school grounds in order to buy what they need. In fact, the school cafeterias meet all the children's needs for good quality and reasonably priced items in accordance with the School Cafeteria Directive No. 4 of 1997.

116. The Red Crescent activities in the schools have helped to acquaint students with the International Red Cross and Red Crescent Movement and the principles of international humanitarian law, in addition to enabling them to attend youth camps and visit and aid the sick, the elderly and the needy. The

principles and concepts of the International Red Cross and Red Crescent Movement and international humanitarian law have also been incorporated in school curricula and textbooks.

Activities to promote child welfare

117. The Ministry of Education attaches great importance to the promotion of child welfare through a wide variety of activities in various cultural fields such as competitions, sports and social activities and the organization of workshops, symposia, conferences, educational and recreational excursions and school theatrical performances.

118. The principal activities in this regard include the Ministry's contribution to the Jordanian Children's Conference on the Draft Jordanian Children's Rights Act which was held at Amman from 10 to 13 April 1996 for the age groups 12-17 of both sexes and which was attended by 140 male and female students from government and private schools in all regions.

119. The Ministry also participated in the Symposium on Reproductive and Adolescent Health in July 1996 and attended the Subregional Symposium on the Welfare and Counselling of Outstanding Students, which was held in cooperation with UNESCO in 1996, and the Symposium on Students Suffering from Learning Difficulties. Another symposium was organized, in collaboration with the Directorate of Public Security, on the prevention of delinquency and crime and the counselling and rehabilitation of inmates of juvenile reform centres, as well as health education symposia which stressed the importance of the vaccination schedule and parental (family) counselling to prevent hereditary disabilities. The Ministry is endeavouring to promote democratic practices among students through the school councils which constitute their parliament and has increased the extent of student representation therein in order to provide students with training in leadership, discipline and the assumption of responsibility. The Ministry has also encouraged discussion groups through the radio and television programmes, such as "Builders of Tomorrow" and "Dialogue Between the Generations", which it organizes and in which students participate.

120. Annex 4 contains the following information:

Statistics on kindergartens in the years 1997 and 1998.

Statistics of the Educational Counselling and Mental Health Department.

Statistics on private schools in the years 1997 and 1998.

School health statistics.

Statistics on the comprehensive periodic medical and dental hygiene examination.

Article 30

121. Jordan has a number of racial and ethnic minorities, all of which enjoy the same rights as other Jordanians since they hold Jordanian nationality. In

this regard, article 6, paragraph 1, of the Jordanian Constitution stipulates that all Jordanians are equal before the law, without any discrimination among them in regard to their rights and obligations on grounds of race, language or religion.

122. The children of minority groups are not deprived of any of their rights. They can speak their own language, which they can learn easily since the Government allows their language to be taught in their private schools in addition to the Arabic language. With regard to the right of the child, in community with other members of his or her group, to enjoy his or her own culture and to profess and practise his or her own religion, article 14 of the Constitution stipulates that: "The State shall protect freedom of religious observance and belief in accordance with the customs observed in the Kingdom, provided that such freedom is compatible with public order and morality". In accordance with this article, all the minorities enjoy full freedom to exercise their rights not only in theory but also in practice since there are schools for the Circassians and Armenians, who enjoy all their rights without any coercion or interference.

Article 31

123. The Ministry of Culture, acting in coordination with the official and popular bodies concerned with children, is promoting all activities conducive to the creation of a well-informed generation that understands its rights and, consequently, fulfils its obligations. The Directorate of Children's Culture at the Ministry of Culture is responsible for developing children's culture by encouraging their literary and artistic creativity in accordance with a carefully formulated plan to enhance the various forms of children's culture through theatrical performances, concerts and access to books and libraries. To this end, it organizes special festivals that stimulate a spirit of competition among the participants and give them an opportunity to meet their Arab brothers taking part in these festivals and other activities organized by the Ministry of Culture.

124. The Directorate is also fostering and encouraging the talents and creative aptitudes of children by ensuring that they have an opportunity to take part in the literary and artistic competitions that are organized at the Arab and international levels and in which large numbers of children are awarded gold and silver medals and certificates of merit every year. They receive their prizes at celebrations that are held in their honour and the Ministry ensures that the prizewinners enjoy ongoing support and encouragement by, inter alia, printing and publishing their outstanding works.

125. The Directorate of Children's Culture is keen to ensure that child authors gain Arab and international renown through participation in the principal children's book exhibitions, such as the international exhibition that is held every year at Bologna in Italy.

126. At the provincial level, children's culture is promoted by the activities in which the Ministry's 11 Directorates of Culture engage in the various governorates and which are coordinated with all the other activities that it organizes, such as literary competitions, festivals and celebrations on the occasion of Arab Children's Day.

127. The Ministry also cooperates with 15 officially registered organizations and associations concerned with children's cultural affairs in Jordan. It monitors and sponsors their activities and supports them to the greatest possible extent.

The Children's Theatre Department

128. This Department encourages children's theatre in Jordan, supports playwrights working in this field and contributes to the production of new theatrical works of a high standard for children through the organization of theatrical festivals supervised by higher committees comprising representatives of governmental and private institutions concerned with children's culture. Panels of judges are formed to award prizes for the best works presented at these festivals.

129. Achievements at the local level:

(a) The First Jordanian Children's Theatrical Festival, 1992 - Royal Cultural Centre. Eight plays for children were produced and symposia and workshops were held with the participation of local and other Arab specialists;

(b) The Second Jordanian Children's Theatrical Festival, 1993 - Royal Cultural Centre. Six plays were produced for children and symposia and workshops were held;

(c) Production of two plays for children during the period 1-9 September 1997 - Royal Cultural Centre.

130. Participation in Arab and international events:

(a) The Seventh International Puppet Theatre Festival - Tunis, 1990;

(b) The Eighth International Puppet Theatre Festival - Tunis, 1991;

(c) The Ninth International Puppet Theatre Festival - San Miniato/Italy, 1992;

(d) The Seminar on the Puppet Theatre in the Mediterranean Countries - Bilbao/Spain, 1993.

The Children's Book Department

131. This Department is endeavouring to improve the quality of children's books by coordinating with their authors and publishing houses in order to ensure that the books produced are of a high standard. The Department also monitors the production of literary works for children, acquires copies thereof and supports children's libraries, which it also supplies with the books available at the Ministry.

132. Participation in Arab and international children's book fairs:

(a) Damascus International Children's Book Fair - Syria, 1995;

(b) International Children's Book Fair - Turkey, 1995;

(c) Bologna International Children's Book Fair - Italy, 1995;

(d) Bologna International Children's Book Fair - Italy, 1996;

(e) Bologna International Children's Book Fair - Italy, 1997;

(f) Sfax International Children's Book Fair - Tunisia, 1997;

(g) Sfax International Children's Book Fair - Tunisia, 1998.

Children's songs

133. The Directorate of Children's Culture organizes children's song festivals in which other Arab countries participate. These festivals, which are the first of their type to be held in the Arab world, are designed to encourage songwriters to compose new songs in simplified classical Arabic for children in order to enrich their culture and remedy the notable shortage of children's songs in Arabic. Panels of judges consisting of local and other Arab specialists are formed to award prizes for the best works presented at these festivals.

134. Achievements at the local level:

(a) A workshop on the composition and arrangement of children's songs - Royal Cultural Centre, 1994;

(b) The First Jordanian Children's Song Festival - Royal Cultural Centre, 1995. Twelve new children's songs were produced;

(c) The Second Jordanian Children's Song Festival - Royal Cultural Centre, 1996. Twenty-three new children's songs were produced, including seven by composers from other Arab countries;

(d) The Third Jordanian Children's Song Festival - Royal Cultural Centre, 1997. Seventeen new children's songs were produced, including nine by composers from other Arab countries. Jordanians took the first and third places in the list of prizewinners. Preparations are currently being made to hold the Fourth Jordanian Children's Song Festival at the end of September 1998;

(e) Publication of a book entitled "Studies on children's songs". This book, which was printed with assistance from UNICEF, included all the working papers presented at the symposia held during the competition. Participants from 18 countries referred to the Children's Song Festival at the Sixth Arab Music Conference held at Cairo in 1997, one of the recommendations

of which stipulated that "the role of the Hashemite Kingdom of Jordan in the holding of the Children's Song Festival, as well as its firm intention to hold further such festivals on an annual basis and to urge all Arab States to participate therein, should be highly commended".

Arab and international competitions in the field of literary, artistic and other creative works for children

135. Activities in this field in which Jordanians participated include:

(a) The "Talented Child" competition in the field of storytelling, drawing, writing and poetry, and the painting competition "Egypt in the eyes of the children of the world" which was organized by the National Centre for Children's Culture in the Arab Republic of Egypt in 1993, 1994, 1995, 1996, 1997 and 1998;

(b) The International Noma Concours for Picture Book Illustrations which was organized by UNESCO's Asian Cultural Centre in Japan in 1995;

(c) Shankar's International Children's Painting Competition held in India in 1995;

(d) The Children's Storytelling and Film Scriptwriting Competition which was organized at the Cairo International Children's Cinema Festival in 1995;

(e) The Children's Art Exhibition held at the Hungarian Children's Art Gallery in 1996;

(f) The Arab Children's Competition for the Creation of Cartoon Characters which was organized by the Arab Child Development Council at Cairo in 1996;

(g) The International Children's Painting Exhibition held on the occasion of Pakistan's Golden Jubilee in 1997.

The "Wisam" magazine

136. This is a monthly cultural magazine for children and young persons which is published by the Ministry's Directorate of Periodicals and Magazines. The first issue appeared at the end of 1988 and it is still being published on a regular basis. This magazine, of which 110 issues have so far appeared, comprises 36 medium-size coloured pages printed on glossy paper. Children contribute to its articles and illustrations.

137. Through this magazine, the Ministry chooses two student press reporters for whom it holds courses in journalism during the summer holiday in which they attend simplified lectures on the fundamental principles of journalism.

138. The future aims of the Directorate of Children's Culture include the establishment of a comprehensive children's centre to meet all the cultural needs of children. It will comprise technoparks and administrative facilities

to promote and develop children's culture, as well as a theatre, a children's library, an art studio, a music training hall and a computer room. The centre will also form the following groups of performers:

(a) A permanent children's theatrical troupe;

(b) A children's choral group;

(c) A children's orchestra;

(d) A permanent puppet theatre group for children;

(e) A folklore troupe comprising singers, dabka dancers and instrumentalists (rebec players, etc.).

Article 32

139. The phenomenon of child labour is fairly limited in the Kingdom. Jordan recently ratified International Labour Convention No. 138 which calls for the imposition of a minimum age for employment. In fact, Jordanian legislation prohibited child labour long ago and, in order to protect young persons from exploitation, their terms and conditions of employment were clearly regulated in the Jordanian Labour Act No. 8 of 1996, which banned the employment of children under 16 years of age, as compared with the old Labour Act No. 21 of 1960 which set the minimum age for employment at 13.

140. Article 2 of the Labour Act No. 8 of 1996 defines a young person as any male or female over 7 but under 18 years of age.

141. Article 73 of the Act stipulates that: "It is not permissible, under any circumstances, to employ a young person under 16 years of age in any manner whatsoever". Article 74 further stipulates that: "It is not permissible to employ a young person under 17 years of age in occupations that are hazardous, strenuous or detrimental to health". These occupations are specified in ordinances issued by the Minister after consultation with the official authorities concerned. For example, the Minister of Labour issued an ordinance in 1997 concerning occupations that are hazardous, strenuous or detrimental to health and in which it is prohibited to employ young persons under 17 years of age.

142. Under the terms of article 75 of the Labour Act, a young person must not be employed for more than six hours per day and must be granted a rest period of at least one hour after four consecutive hours of work. It is also prohibited to employ young persons between 8 p.m. and 6 a.m. or on religious or official holidays or weekends.

143. According to article 76 of the Act, before employing any young person an employer must obtain from him or from his guardian a certified copy of the young person's birth certificate together with a certificate of fitness for employment issued by a competent physician and certified by the Ministry of Health. The young person's guardian must also give his written approval for the employment of his child or ward in the enterprise. These documents are

kept in a special individual file together with details concerning the young person's place of residence, his date of employment, the work for which he was engaged, his wage and his holidays.

144. Any employer or manager of an enterprise who violates any of the above-mentioned provisions or any regulation or ordinance promulgated under the terms of the Act is liable to a fine of 100-500 dinars, which is doubled in the event of a repeated offence. This penalty cannot be reduced below the minimum on any mitigating grounds or considerations.

145. Annex 5 contains a copy of the ordinance issued by the Minister of Labour concerning occupations that are hazardous, strenuous or detrimental to young persons in accordance with the provisions of article 74 of the Labour Act No. 8 of 1996.

146. In view of the lack of comprehensive statistics on child labour, the Ministry of Labour has embarked on a countrywide study of this issue. The National Task Force for Children has also completed a survey on child labour the results of which show that this phenomenon is largely confined to industrial, remote and poor areas.

147. In addition to the Minimum Age Convention No. 138, Jordan has also signed the following conventions to protect the rights of children:

(a) Arab Labour Convention No. 1 of 1966, concerning labour standards;

(b) The Minimum Age (Underground Work) Convention No. 123 adopted by the ILO in 1965;

(c) The Medical Examination of Young Persons (Underground Work) Convention No. 124 adopted by the ILO in 1965.

Article 34

148. With regard to the protection of children from all forms of sexual exploitation and sexual abuse, Jordan has begun to tackle this problem by formulating a national strategy to be applied by all the official bodies concerned with a view to curbing and overcoming this phenomenon through the establishment of a Higher National Committee on Family (Mother and Child) Protection, as well as a mechanism to facilitate cooperation and coordination with the various Ministries and departments and a Family Protection Unit at the Directorate of Public Security, details of which will be found below under article 40.

149. The legal measures taken to protect children from sexual exploitation and abuse are set forth in section III of the Jordanian Penal Code (Act No. 16 of 1960) which deals with the following offences against children and incapacitated persons:

(a) Rape:

(i) Article 292, paragraph 2, of the Penal Code (Act No. 9 of 1988) stipulates as follows:

"1. Anyone who has sexual intercourse by force with a female (other than his wife) shall be liable to a penalty of not less than five years' imprisonment with hard labour.

"2. The penalty shall be not less than seven years if the victim was under 15 years of age".

(ii) Article 293 of the Code further stipulates that: "Anyone who has sexual intercourse with a female (other than his wife) when she is unable to resist due to a physical incapacity or mental defect, or because of the forms of deceit used against her, shall be liable to a term of imprisonment with hard labour".

(iii) Under article 294 of the Code:

"1. Anyone who has sexual intercourse with a female under 15 years of age shall be liable to a term of imprisonment with hard labour.

2. The penalty shall be not less than five years if the victim was under 12 years of age".

(iv) Under article 295 of the Code:

"1. If a female over 15 but under 18 years of age is sexually assaulted by any of her legally designated or other ascendants, by a person within the degrees of kinship that preclude marriage or by a person entrusted with her upbringing or care or vested with authority over her in accordance with the provisions of the Shariah or the secular law, the offender shall be liable to a term of not less than 10 years' imprisonment with hard labour.

"2. The same penalty shall apply if the offender is a minister of religion or a manager or employee of an employment agency who commits the offence by abusing his authority or the facilities that he derives from the said authority".

(v) Under article 298 of the Code:

"1. Anyone who, without using force or threats, sexually assaults a male or female child under 15 years of age or induces him or her to engage in an indecent act shall be liable to a term of imprisonment with hard labour.

"2. The penalty shall be a term of not less than five years if the male or female child was under 12 years of age".

(b) Prostitution:

(i) Article 310 of the Penal Code stipulates as follows:

"A penalty of imprisonment for one month to three years, together with a fine of 5 to 50 dinars, shall be imposed on anyone who panders or attempts to pander:

"1. By inducing a female under 20 years or age to have illicit sexual intercourse with a person in or outside the Kingdom if the said female was neither a prostitute nor known to be of immoral conduct.

"2. By inducing a female to become a prostitute in or outside the Kingdom.

"3. By inducing a female to leave the Kingdom in order to reside in or frequent a house of prostitution.

"4. By inducing a female to leave her normal place of residence, other than a house of prostitution, in the Kingdom in order to reside in or frequent a house of prostitution in or outside the Kingdom or to engage in prostitution.

"5. By inducing a person under 15 years of age to commit an act of sodomy with him."

(ii) Article 311 of the Penal Code stipulates as follows:

"A penalty of imprisonment for one to three years shall be imposed on anyone who:

"1. Through threats or intimidation, induces or attempts to induce a female to engage in illicit intercourse in or outside the Kingdom.

"2. Through false pretence of any means of deception, induces a female, who is not already a prostitute or well known for her immorality, to engage in illicit intercourse with another person."

(iii) Under article 314 of the Code:

"Anyone who, being entrusted with the care of a child from 6 to 16 years of age, permits the said child to reside in or frequent a house of prostitution shall be liable to a term of up to six months' imprisonment or a fine of up to 20 dinars".

(iv) Article 305 of the Penal Code stipulates as follows:

"A penalty of up to one year's imprisonment shall be imposed on anyone who flirts in an indecent manner with:

"1. A male or female person under 15 years of age.

"2. A woman or a girl over 15 years of age, without her consent.

"3. Anyone who proposes an indecent act, or makes indecent remarks to a boy under 15 years of age or a female shall be liable to a penalty of up to six months' imprisonment or a fine of up to 25 dinars".

Article 35

150. With regard to measures to prevent the abduction of, the sale of or traffic in children:

(a) Article 287 of the Penal Code stipulates as follows:

"1. Anyone who abducts or conceals a child under seven years of age, substitutes such a child for another or attributes a child to a woman other than the child's mother shall be liable to a term of three months' to three years' imprisonment.

"2. The penalty shall be a term of not less than six months if the purpose or consequence of the offence was the elimination or alteration of evidence concerning the child's personal status or the entry of fictitious personal status details in official records".

(b) Under article 288 of the Code:

"Anyone who has a child admitted to a home for foundlings by concealing the child's identity, regardless of whether the child was officially registered as a legitimate or a recognized illegitimate child, shall be liable to a term of two months' to two years' imprisonment".

(c) Under article 289:

"Anyone who, without a legitimate or valid reason, abandons a child under two years of age in such a way as to endanger the child's life or in a manner likely to cause permanent harm to the child's health shall be liable to a term of one to three years' imprisonment."

(d) Under article 291:

"1. Anyone who abducts or takes away a minor under 15 years of age, even with his or her consent, with a view to removing the minor from the authority of the person exercising guardianship or custody shall be liable to a term of one month's to three years' imprisonment and a fine of 5 to 25 dinars.

"2. If the minor was under 12 years of age or was abducted or taken away by deceit or force, the penalty shall be a term of three months' to three years' imprisonment."

Under article 302:

(e) "Anyone who abducts a male or female person by deceit or force and absconds with the said person shall be liable to the following penalties:

"1. A term of two to three years' imprisonment if the person abducted in the above-mentioned manner was a male over 15 years of age.

"2. A term of imprisonment with hard labour if the person abducted in the above-mentioned manner was female.

"3. A term of not less than five years' imprisonment with hard labour if the abducted person was a married female over or under 15 years of age.

"4. A term of not less than 10 years' imprisonment with hard labour if the abducted person was a married or single female who was raped or sexually assaulted.

"5. A term of not less than 10 years' imprisonment with hard labour if the abducted person was a married female under 15 years of age who was assaulted with her consent."

Article 36

151. In order to protect children against all forms of exploitation prejudicial to any aspects of their welfare, the judicial authority is applying, to the letter and without any leniency, the penalties prescribed by law to prevent further exploitation of children. These penalties are illustrated by the following:

(a) Article 289 of the Penal Code:

"Anyone who, without a legitimate or valid reason, abandons a child under two years of age in such a way as to endanger the child's life or in a manner likely to cause permanent harm to the child's health shall be liable to a term of one to three years' imprisonment."

(b) Article 290 of the Code:

"A penalty of imprisonment for one month to one year shall be imposed on anyone who:

"1. Being the father or the natural or testamentary guardian of a young dependent child, or being legally entrusted with the child's protection and care, refuses or neglects to provide the child with food, clothing, a bed and other necessities, although able to do so, and thereby harms the child's health.

"2. Being the father or the natural or testamentary guardian of a child under 12 years of age, or being legally entrusted with the

child's protection and care, abandons the child intentionally or without a legitimate or valid reason, although capable of supporting the child, and leaves the child without any means of subsistence."

152. All the relevant Jordanian legislation embodies the principle of the child's right to protection and to the enjoyment of full security in a manner conducive to a decent and comfortable life in all circumstances, the aim of these legislative enactments being to promote the social welfare and safeguard the health of the child. The National Task Force for Children, acting in collaboration with official bodies and particularly with the Ministry of Social Development, has studied and drawn up a bill of law on the rights of the Jordanian child which is currently being examined by the Office of the Prime Minister with a view to its approval. This bill of law on the rights of the Jordanian child makes provision for the child's enjoyment of nationality and identity, a commitment by the State to provide the child with care and protection, the parents' joint responsibility for the child's upbringing and health care, preventive measures to protect the child's health, school health care and the provision of food security, in addition to alternative care by social welfare institutions and foster families that meet the requisite conditions if the child is not brought up within his or her own family.

Article 37

153. In our legislation, the right of the child to protection from torture or other forms of cruel treatment or punishment is a firmly established and recognized right since it is prohibited to punish children at school, at home or at work. The punishment referred to in this context is understood to be of a harmful and cruel nature. The Jordanian legislature promulgated the Juveniles Act No. 24 of 1968, which was subsequently amended by the provisional Act No. 7 of 1983.

154. Annex 6 contains copies of the Juveniles Act No. 24 of 1968 and the amending Act No. 7 of 1983.

Detention of juveniles

155. The above-mentioned Juveniles Act applies to delinquent children. Special courts have been established to hear juvenile cases, the proceedings of which are subject to various conditions and restrictions such as the requirement that such cases be heard in an expeditious manner. The Act also specifies the judicial measures that can be taken against juveniles. For example, article 18 stipulates as follows:

"1. Criminal proceedings shall not be instituted in respect of an offence committed by a person under seven years of age.

"2. No juvenile shall be sentenced to death or to imprisonment with hard labour.

"3. (a) A young person who commits a felony punishable by the death penalty shall be sentenced to a term of 6-12 years' detention.

"(b) A young person who commits a felony punishable by life imprisonment with hard labour shall be sentenced to a term of 5-10 years' detention.

"(c) A young person who commits a misdemeanour punishable by detention shall be placed in a juvenile reformatory for a period not exceeding one third of the term of the penalty prescribed by law.

"(d) A young person who commits a contravention or a misdemeanour punishable by a fine shall be liable to only half the amount of the fine."

156. Article 19 of the same Act stipulates as follows:

"(a) An adolescent who commits a felony punishable by the death penalty shall be sentenced to a term of 4-10 years' detention.

"(b) An adolescent who commits a felony punishable by life imprisonment with hard labour shall be sentenced to a term of 3-9 years' detention.

"(c) An adolescent who commits a felony punishable by a term of imprisonment with hard labour or detention shall be detained for a period of 1-3 years and, after sentencing, the court may commute this penalty to one of the penalties prescribed in paragraph 5, subparagraphs (iv) and (v), of this article.

"(d) If an adolescent commits a misdemeanour or a contravention, the court may settle the case in the following manner:

"(i) By ordering the culprit or his father or guardian to pay a fine, damages or court costs.

"(ii) By ordering the culprit or his father or guardian to furnish a financial guarantee of his future good conduct.

"(iii) By ordering him to give a personal undertaking that ensures his good conduct and behaviour.

"(iv) By placing him under the surveillance of a probation officer in accordance with the terms of a probation order for a period of 1-3 years.

"(v) By placing him in a juvenile reformatory for a period of up to two years.

"(vi) By sending him to a juvenile rehabilitation centre or any other appropriate institution approved by the Minister to that end for a period of 1-5 years. The penalties prescribed in subparagraphs (i), (ii), (iii) and (iv) above may be combined with any other penalty provided for in this article.

"(vii) All the guarantees and court costs required from the juvenile under the terms of this Act, as well as the guarantees, court costs and fines required from the natural or testamentary guardian and any sums payable by persons who have posted bail, shall be collected by the clerk of the court."

Article 38

International humanitarian law at the national level

157. Jordan is one of the States that have ratified the four Geneva Conventions of 1949 and the two Protocols Additional thereto. In view of the need to ensure respect for international humanitarian law in accordance with the provisions of those Conventions, and pursuant to the resolutions adopted at the international conferences of the Red Cross and Red Crescent Movement, since 1996 the International Committee has endeavoured to provide advisory services in the field of international humanitarian law in many countries of the world, including some Arab countries and particularly Jordan, the capital of which is hosting the advisory services office in the field of international humanitarian law in the Arab region.

158. Within the context of the advisory services that it is responsible for providing, the International Committee of the Red Cross convened a national symposium on the application of international humanitarian law at the national level, which was held at Amman from 17 to 19 February 1997. This symposium, which was the first of its type to be held in the Arab world, was attended by representatives of various official bodies who adopted a number of important recommendations in the light of Jordan's international commitments and the current status of Jordanian legislation, which needed to be developed, modernized and updated in a manner consistent with the requirements of international humanitarian law in regard to the protection of children and women.

159. This symposium recommended that Jordan should establish a national committee on international humanitarian law. In order to ensure the full implementation of the provisions of international humanitarian law, a regional meeting to monitor the implementation of the recommendations of symposia at the national level was held on 21 and 22 December 1997. This meeting, which was attended by representatives of Lebanon and Yemen, was held under the patronage of His Royal Highness Prince Hassan and Her Royal Highness Princess Sarvath al-Hassan, both of whom emphasized that legislation in Jordan would continue to be promulgated and updated in conformity with the provisions of international humanitarian law, to which Jordan was committed, in order to protect civilians in time of war, and particularly women and children who might be affected by armed conflicts.

Recruitment of children

160. Recruitment is necessary in order to meet the armed forces' needs for recruits in all ranks and professions. Article 5 of the Military Service Act No. 2 of 1972 sets forth the conditions that a recruit must meet. In

particular, paragraph (b) of that article stipulates that the recruit must be over 16 years of age, which must be attested by a birth certificate in the absence of which his age is determined by the Medical Board. According to the same article, persons over 15 but under 16 years of age can enlist as cadets until they reach the age of 16 when they become eligible to serve as recruits.

161. As mentioned in the preceding paragraph, the Act sets the legal age for voluntary enlistment at 16 years subject to the fulfilment of other conditions such as, in particular, educational level which must not be less than the tenth grade (thereby encouraging parents to keep their children at school).

162. With regard to child recruits or volunteers in the armed forces, there are no male or female enlisted personnel under 17 years of age.

163. Article 3 (a) of section II of the Compulsory Military Service No. 23 of 1986 stipulates that, from the date of entry into force of the Act (which is currently suspended), on reaching the age of 18 every male Jordanian has an obligation to perform military service. Article 22 of the Act specifies the states of emergency and general mobilization that necessitate a call-up of the reserve. However, this article makes no reference to the call-up of any person under 18 years of age.

164. The rights of women, children and civilians are safeguarded and protected through written directives and advance plans to ensure the protection of civilians in time of war, the control of refugees and displaced persons and the provision and control of social, health and transport services to evacuate them, in coordination with the administrative and other authorities, from probable combat zones to safe areas far from the theatre of military operations.

165. In accordance with the directives of His Majesty, the Commander-in-Chief, the High Command of the Armed Forces is diligently catering for the material and moral welfare of its military personnel and their families by providing them with free medical treatment, housing, education at the military schools that can be found in all parts of the Kingdom and also free university education through His Majesty's gracious beneficence.

166. Provision is made for special benefits when members of the armed services are killed or injured. The children of martyrs are accorded priority in regard to education and employment and receive a pension until they reach the age of majority. Injured military personnel benefit from all the above-mentioned services and, depending on their individual circumstances, also receive a pension and a sickness allowance. A voluntary association (known as the Soldiers' Family Welfare Association) which is supported by the High Command visits and caters for the welfare of the families of military personnel during armed conflicts.

Article 40

167. The Jordanian legislature is fully aware that juveniles, being persons who have not attained full maturity, are entitled to special treatment and privileges if they break the law by committing an offence or an act of

delinquency. These privileges are specified in the Juveniles Act, which stipulates that a juvenile must not be handcuffed and can be detained only in certain places. It also stipulates that the juvenile courts are courts of summary jurisdiction the judgements of which are not entered in the convicted person's criminal record. The powers of the juvenile courts, as well as the time and place of their sessions, are clearly defined and their proceedings are regarded as confidential. Their judgements are subject to objection, appeal and cassation in accordance with the provisions of the Code of Criminal Procedure and natural or testamentary guardians are permitted to act on behalf of the juveniles involved in these proceedings.

168. The procedures applied in conformity with this article are set forth in the Juveniles Act No. 24 of 1968, as amended by the provisional Act No. 7 of 1983, which is still in force (copy attached hereto).

169. The Family Protection Unit which was established at the Directorate of Public Security on 3 September 1997 by order of His Royal Highness Prince Hassan was the first of its type in the region. It forms the nucleus for a future Family Protection Directorate and is responsible for investigating and dealing with cases of violence against women and child abuse in all parts of the Kingdom. Since its establishment, this Unit has been concerned mainly with cases of physical and sexual assault and child neglect or deprivation. It has dealt with 235 cases including about 42 in which the victims were children (23 males and 19 females). In order to protect the family, including children, research and studies are currently being carried out to determine the magnitude of the problem through the development of a statistical and analytical database so that the necessary recommendations can be made to facilitate the adoption of appropriate decisions. Specialized personnel are being trained at courses held in and outside Jordan so that they can deal with cases involving children in a considerate manner consistent with their characteristic sensitivity and innocence. Symposia and lectures are also held to make children more aware of their rights and also to inform them and their families of the forms of aggression to which children might be exposed, the manner in which they should be reported and the measures that must be taken in connection therewith.

170. The purposes for which the Family Protection Unit was established are as follows:

(a) To contribute, together with various other bodies, to the creation of a society that is safe and, as far as possible, free from crime;

(b) To protect mothers from subjection to any form of degrading or harmful treatment or assault so that they can rear an upright and well-informed younger generation;

(c) To protect children from subjection to any form of harm so that they can fulfil their duty of serving the country in a trustworthy and reliable manner;

(d) To promote greater awareness among members of society concerning the need to protect the family from physical and other forms of aggression and harm to which children might be subjected within or outside the family;

(e) To establish a network of contacts with governmental and non-governmental institutions and organizations dealing with matters affecting women, children and human rights with a view to an exchange of experience and viewpoints concerning any new developments intended to protect the family, the nucleus of society;

(f) To maintain ongoing liaison with States possessing similar experience in the establishment of family protection units in order to keep abreast of any new developments in this field;

(g) To establish a data and information base for the monitoring, study and analysis of all new and useful developments concerning ways to deal with the acts of aggression to which women and children are subjected.

174. The child protection measures taken by this Unit, which is empowered to receive, consider and investigate complaints from children without obtaining the approval of their guardians, are as follows:

(a) Children are questioned in a special room equipped with toys and every facility needed to put the child in a frame of mind in which he or she is willing to reply and respond;

(b) Children are medically examined within the Unit at a fully equipped clinic so that they do not need to be taken for examination at hospitals where they might be subjected to psychological or other similar harm;

(c) Children are isolated from their families and removed from their homes if the aggressor or the person causing the harm was a member of their family;

(d) Children are provided with shelter, in accordance with their sex and age group, at one of the welfare centres run by the Ministry of Social Development;

(e) The children are monitored at the welfare centres in order to determine their needs and ongoing contact is maintained with the male and female supervisors of the centres so that the children's situation can continue to be monitored;

(f) The children's situation is monitored once their case has been settled through their retention at the welfare centres or social institutions or their return to their family home;

(g) Seminars and lectures are held to make children more aware of their rights and also to inform them and their families of the forms of aggression to which children are subjected, as well as the manner in which these should be reported and the measures that must be taken in connection therewith.

171. The functions assigned to the Family Protection Unit are as follows:

(a) To receive reports and complaints concerning acts of aggression against women and children;

(b) To deal with offences and acts of aggression committed within the family;

(c) To deal with some types of sexual offences and abuse, such as rape, harassment, abduction and forced engagement in immoral acts, to which women are subjected, as well as any offences of this type in which the victims need care and special treatment with due consideration for their psychological and social circumstances;

(d) To investigate and deal with offences and acts of deliberate aggression and neglect to which children are subjected and in which the victims suffer psychological and physical harm;

(e) To refer cases to the competent courts, if necessary, in accordance with the laws and directives in force;

(f) To coordinate with Ministries, official departments, local and international public and private institutions and embassies accredited in the Kingdom with a view to cooperation in future projects to deal with the potential consequences of an intensification of the phenomenon of violence, in all its forms, in Jordan and also with a view to formulating national policies and strategies to address and remedy its underlying causes and motives.

Training courses for judges dealing with cases involving children

172. The Ministry of Justice is constantly endeavouring to keep abreast of all new developments in the legislative and judicial fields. It participates in specialized symposia and conferences designed to develop the knowledge and enhance the training of judges in view of the important role of these meetings and courses in providing judges with an opportunity to enrich their knowledge and experience.

173. The issues not addressed in this report and which the Committee on the Rights of the Child designated as principal subjects of concern in section D of its concluding observations (CRC/C/15/Add.21) adopted following its consideration of Jordan's report for 1993 at its 143rd, 144th and 145th meetings, held in April 1994, are listed in sequence below:

Paragraph 9: The Hashemite Kingdom of Jordan believes that it should maintain its reservations concerning articles 14, 20 and 21 since the provisions of these articles are incompatible with the Islamic Shariah.

Paragraph 10: The Government, in collaboration with private bodies, is currently making preparations for the promulgation of a Children's Rights Act combining all the legislation on the protection, development and advancement of children. This new bill of law, which is currently under study at the Legislative Department of the Office of the Prime Minister, calls for a modification of the minimum age for marriage. With regard to the

administration of juvenile justice, a committee has been established, under the terms of an official decree, to amend the legislation concerning juveniles and a draft Personal Status Act, which has already been drawn up, is awaiting approval and ratification by the Council of Ministers.

Paragraph 11: The inheritance rights, on which the Committee expressed concern, are derived from the Islamic Shariah. With regard to the right to leave the country, under the terms of a new legislative enactment, which is in the final stages of ratification, women and children will be able to obtain passports and travel without the approval of their husband or guardian. This section of society will thereby have a guaranteed right to freedom of travel and movement. The question of nationality is dealt with in detail on page 8 of this report. The granting of nationality to the children of a Jordanian woman married to a foreigner is currently under study and the Government is helping children in this category by issuing them with temporary passports or residence permits in order to facilitate their movements.

Paragraph 12: The question of personal status in accordance with the child's religion is dealt with in detail on page 11 of this report. With regard to the Baha'i community, plans are being made to study the situation of religious communities in general, including the Baha'is.

Paragraph 13: Jordan has taken an important step on the question of refugees by signing a memorandum of understanding with UNHCR (a copy of the decree approving its signature is attached hereto).

Paragraph 14: Jordan has signed ILO Convention No. 138 concerning the minimum age of employment and the Ministry of Labour, in collaboration with the Ministry of Social Development, is conducting a countrywide survey to determine the magnitude of the problem of child labour in Jordan with a view to the formulation of a comprehensive national plan to curb this phenomenon. It should be noted that the National Task Force for Children, in collaboration with the Ministries of Labour, Social Development and Education, is organizing workshops to develop long and short-term plans of action to deal with this problem.

Paragraph 15: With regard to the measures that the Government has taken to evaluate and address the problem of domestic violence, details of the Family Protection Directorate that has been established for this purpose can be found on page 49 of this report.

Paragraph 16: With regard to judicial proceedings against juveniles, Jordanian law provides juveniles with numerous safeguards under which, inter alia, they may be handcuffed only if absolutely necessary and juvenile delinquents must be isolated from adult offenders and detained in juvenile reformatories. Jordanian law restricts the power of detention to the competent judicial authorities and there are legal procedures that must be observed during the trial of juveniles. These include, in particular, the need to maintain confidentiality, to deal with these cases in an expeditious manner, and to obtain a report from the probation officer and invite the juvenile's natural or testamentary guardian to attend the trial. Accordingly,

Jordanian law provides safeguards to ensure that the circumstances and the age of juveniles, as well as the causes of their delinquency, are duly taken into consideration during their trial.

174. It should also be noted that both the governmental and private sections (appendix) of this report were discussed with all the governmental and private sectors concerned at a workshop held by the National Task Force for Children in collaboration with UNICEF. This is in keeping with the request that the Committee made at its meeting with the Jordanian representative during the consideration of Jordan's initial report. A series of meetings were subsequently held between the governmental and private sectors in this regard.

175. Most of the Committee's suggestions and recommendations are dealt with in this report. The Kingdom's official and non-official institutions are currently preparing proposals and strategies to ensure a comprehensive approach to child-related issues.

APPENDIX

National task force for children

Periodic report by the non-governmental organizations in Jordan on the implementation of the Convention on the Rights of the Child during the period 1993-1998

June 1998

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I. INTRODUCTION

1. The non-governmental organizations in Jordan are submitting this report in collaboration with the Jordanian Government and with the highly appreciated support and coordination of UNICEF in order to update the situation of children in Jordan by covering the period subsequent to the submission of Jordan's initial report in 1993.

2. It is noteworthy that Jordan has signed a number of international human rights instruments such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights to which it acceded in 1978. Hence, Jordan was among the first States to ratify those two International Covenants as a token of its diligent concern for human rights in all their various aspects and dimensions. As the Committee on the Rights of the Child is undoubtedly aware, those two International Covenants addressed the rights of the child at the very beginning of the international campaign to make the peoples of the world more conscious of the importance of those rights.

3. Accordingly, Jordan's initial and subsequent periodic reports to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights gave an account of the legislative procedures and the practices that Jordan has adopted to achieve the aims of those Covenants in regard to the rights of the child, as set forth in articles 2, 3, 10, 11, 12, 14 and 15 of the International Covenant on Economic, Social and Cultural Rights.

4. Jordan has also acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Political Rights of Women, the Convention on the Nationality of Married Women, the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the Convention on the Rights of the Child. This confirms Jordan's support for international legislation. Jordan has also taken the necessary legislative measures to implement the Convention on the Rights of the Child on which this report has been prepared through cooperation and coordination between official bodies and non-governmental organizations.

5. The non-governmental organizations wish to make it clear that their strategy and modus operandi for the implementation of their programmes are based on consultation and coordination not only among themselves but also with governmental and international institutions in order to avoid repetition, individualistic approaches, duplication and waste of time and money during the implementation of their programmes. They are also eager to ensure that their endeavours make an effective and positive contribution to the discharge of this major task side by side with the official and international institutions

operating in child-related fields and also help to alleviate the heavy financial burdens being borne by all private and official bodies at this difficult economic stage through which Jordan is passing.

6. During the preparation of their periodic report for 1998, the non-governmental organizations have avoided further repetition of the legislation and laws already referred to in the initial report for 1993 and have focused on the new legislation and laws promulgated since that date. They have also focused on the positive and negative factors affecting the implementation of their programmes.

7. At a meeting held at the headquarters of the National Task Force for Children on 27 August 1997 and which was attended by representatives of the various governmental institutions and non-governmental organizations, in addition to UNICEF, it was agreed that the National Task Force for Children would be responsible for the preparation of the report of the non-governmental organizations on the implementation of the Convention on the Rights of the Child in Jordan. This was followed by a series of meetings between representatives of official bodies, the National Task Force for Children, non-governmental organizations and UNICEF in order to coordinate and organize the preparation of the report.

8. The National Task Force for Children contacted 47 of the principal non-governmental and international organizations operating in various child-related fields and requested them to provide it with concise reports on their achievements in regard to the implementation of the provisions of the Convention on the Rights of the Child during the period from 1993 to 1998, as well as the obstacles impeding the implementation of the Convention. To this end, the Task Force provided the organizations concerned with copies of the Convention on the Rights of the Child, the guidelines for the preparation of the report, Jordan's initial report for 1993, the concluding observations of the Committee on the Rights of the Child on Jordan's initial report and the list of questions to be answered in the periodic report for 1998 so that those background documents could be used as guidelines for the preparation of the periodic report for 1998.

9. The National Task Force for Children received numerous replies from the non-governmental organizations and, on the basis of those replies, prepared a first draft of the report, which was then reviewed, discussed and modified. A workshop was then held, with the support and collaboration of UNICEF, in which representatives of all the 47 targeted non-governmental organizations, as well as representatives of governmental institutions, participated. The purpose of this workshop was to discuss, finalize and approve the report. The workshop also discussed the draft official report so that it could be finalized and approved by the official bodies concerned.

II. PROCEDURAL STEPS TAKEN TO PREPARE THE REPORT

10. The non-governmental organizations took care to ensure that their periodic report for 1998 was consistent with the following reference documents:

(a) The general guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44, paragraph 1 (b), of the Convention (CRC/C/58 of 20 November 1996);

(b) Concluding observations of the Committee on the Rights of the Child on the initial report of Jordan (CRC/C/15/Add.21 of 25 April 1994).

(c) The initial report of Jordan (CRC/C/8/Add.4 of 26 November 1993).

11. The non-governmental organizations took the following into consideration:

(a) The need to avoid repeating the information and the legislative and legal texts quoted or referred to in Jordan's initial report;

(b) The need to focus on the concluding observations of the Committee on the Rights of the Child;

(c) The need to highlight the factors and difficulties hampering the implementation of the Convention on the Rights of the Child or impeding the enjoyment of those rights by children;

(d) The need to focus on the principal subjects of concern.

12. The non-governmental organizations took the Committee's suggestions and recommendations into account and addressed the issue of the review of some of the reservations expressed in the initial report. They also endeavoured to ensure that the information contained in the present report was supported by statistics and substantiating data. The non-governmental organizations also attempted to reply to the questions raised by the Committee and to cover the aspects of the initial report that gave rise to concern. They also attempted to highlight new developments and positive aspects that remedied some of those shortcomings during the period from 1993 to 1998.

III. NEW DEVELOPMENTS AND ACHIEVEMENTS IN THE FIELD OF CHILD WELFARE IN JORDAN SINCE THE SUBMISSION OF JORDAN'S INITIAL REPORT IN 1993

A. The National Conference on Children

13. Following Jordan's accession to the Convention on the Rights of the Child in 1991, a National Conference on Children was held in 1992 under the patronage of His Majesty King Hussein and Her Majesty Queen Noor. The aim of this conference, to which all the national bodies concerned with child-related issues were invited, was to formulate a general policy on children, draw up a national plan of action and establish a mechanism for the implementation of the provisions of the Convention on the Rights of the Child. The National Conference led to Jordan's adoption in 1993 of a National Plan of Action for Children during the period 1993-2000 which addressed issues of joint concern to the various sectors concerned with children. It defined the principal sectoral and general objectives, as well as programmes and operational procedures in the fields of health, education, the environment, culture, information and the care of special categories of children.

14. In the health sector, the objective of the Plan was to reduce the infant mortality rate from 37 per 1,000 in 1990 to 20 per 1,000 in the year 2000 and also to reduce the mortality rate among children under five years of age from 47 per 1,000 in 1990 to 25 per 1,000 in the year 2000. In the education sector, the objective of the Plan was to promote all aspects of the development of young children under six years of age and to improve all the quantitative and qualitative aspects of basic education. In the environmental sector, the objective of the Plan was to ensure the hygienic supply of clean drinking water and sewage facilities in all areas and provide a totally clean and safe environment for Jordanian children by the year 2000. In the field of culture and information, the Plan focused on the optimum use of the information media and other means to disseminate culture, as well as the protection of children from the harmful effects of the various information media, the development of children's awareness in health, cultural, social, spiritual and environmental fields and promotion of the values and concepts needed to enjoy a better life. With regard to the care of special categories of children, the Plan referred to the need to tackle the causes of disabilities in order to reduce their incidence to half by the year 2000, to increase the proportion of all categories of disabled persons benefiting from services from 10 per cent in 1990 to 40 per cent in the year 2000 and to tackle the phenomenon of vagrancy and the employment of children under the legal age. 1/

15. In the health sector, this Plan succeeded in reducing the infant mortality rate to 32 per 1,000 in 1997 and also reduced the mortality rate among children under five years of age to 25 per 1,000. With regard to the care of special categories of children, there was a 48 per cent increase in the early detection of disabilities in 1998, which confirmed the higher level of awareness among citizens. In the education sector, the drop-out rate declined from 6 per cent in 1990 to 1.2 per cent. With regard to the early development of children, the enrolment rate at kindergartens increased from 18 per cent in 1990 to 25 per cent, although this rate is still regarded as too low. 2/

B. The National Task Force for Children

16. One of the principal new developments following the submission of Jordan's report in 1993 was the establishment of the National Task Force for Children in 1995 when His Majesty King Hussein entrusted Her Majesty Queen Noor with the task of establishing and presiding over this Task Force, the aim of which was to intensify and coordinate endeavours made at the official, private and international levels to provide services for Jordan's children and promote their welfare in order to achieve the objectives set forth in the Declaration of the Rights of the Child and the Covenant on the Rights of the Arab Child. To this end, the secretariat of the Task Force established the following three units: Research and Database; Information, Education and Communication; The National Coalition for Children.

17. Her Majesty Queen Noor graciously appointed the Board of the Task Force, consisting of representatives of the official and private sectors as well as other leading personalities in various child-related fields who advise on ways to invigorate national policies and update their principles and values in

order to ensure protection of the rights of children, meet their needs and develop the legislation needed to that end. The Task Force is operating in accordance with the following three main strategies:

1. Monitoring the situation of children within their families and local communities and checking on the extent to which national, Arab and international instruments are applied in order to meet the needs of children and continue to make every endeavour to improve their living conditions and create an environment conducive to their full and healthy development so that, in turn, they can help to build a bright future.

2. The conduct of research and the establishment of a database of benefit to all sectors, individuals and members of the National Coalition for Children, who also constantly contribute thereto by providing research, statistics, information and development projects, training, ideas and proposals concerning ways to find appropriate solutions to meet the needs of children in various fields.

3. Consultation and dialogue among all the bodies and specialists working in child-related fields in order to promote more concerted and coordinated endeavours among all sectors through the formation of a National Coalition for Children. 1/

C. The National Coalition for Children

18. The establishment of the National Task Force for Children gave rise to the idea of establishing a National Coalition for Children, the membership of which, up to the date of preparation of this report, included about 350 representatives of non-governmental and international organizations and official institutions operating in various child-related fields, as well as individual personalities concerned with child-related issues. Specialized committees have been formed with the following main terms of reference:

(a) The Committee on Legal and Legislative Affairs, to upgrade the legislation in such a way as to safeguard and protect the rights of the child by ensuring the implementation of the Convention on the Rights of the Child, the Covenant on the Rights of the Arab Child, the National Plan of Action for Children and the Jordanian laws and regulations concerning children;

(b) The Committee on Family and Local Community Affairs, to promote comprehensive and full family awareness at the local and national levels with a view to improving the standard of child care and ensuring the welfare and protecting the rights of children;

(c) The Committee on Educational Affairs, to consult and coordinate in the formulation of policies and plans, the implementation of programmes and the provision of services to improve the educational situation of children in Jordan, with emphasis on the need to remedy shortcomings at the pre-school stage, to ensure that the compulsory nature of education is respected and to tackle the problem of child drop-outs at various academic levels;

(d) The Committee on Cultural, Sports and Recreational Affairs, to consult and coordinate on the formulation of policies and plans, the

implementation of programmes and the provision of services to improve the situation of children in Jordan in the fields of culture, sports and recreation;

(e) Committee on Health Affairs, to consult and coordinate in the formulation of policies and plans to remedy shortcomings, implement programmes and provide services to improve the health situation of children in Jordan;

(f) The Committee on Environmental Affairs, to consult and coordinate in the formulation of policies and plans, the implementation of programmes and the provision of services to ensure a healthy environment in which children can grow and develop;

(g) Committee on Child Protection Affairs, to consult and coordinate in the formulation of policies and plans, the implementation of programmes and the provision of services to protect children from ill-treatment, violence, child labour, road accidents, accidents within the home, begging, narcotic drugs and juvenile delinquency, etc.;

(h) The Committee on the Welfare of Children with Special Needs, to consult and coordinate in the formulation of policies and plans, the implementation of programmes and the provision of services to improve, develop and modernize the services rendered to disabled and orphaned children, children in foster families and children from poor families.

D. The Jordanian Children's Rights Act

19. This Act was drawn up, with the help of UNICEF, in collaboration and coordination with the Ministry of Social Development and other official, private and academic institutions. The Act, which is in conformity with the provisions of the Convention on the Rights of the Child, is in the final stages of preparation since it is currently being studied by the Department of Legislation at the Office of the Prime Minister so that it can be submitted to the Council of Ministers and the Jordanian National Assembly for approval and subsequent ratification by Royal Decree.

E. The Child Protection Unit

20. The new developments include the establishment of a unit to protect children from ill-treatment. The aims of this unit, which is supervised by a non-governmental organization established in 1995, are as follows:

1. To protect children from ill-treatment and neglect.

2. To rehabilitate child victims by coordinating endeavours at the national level.

3. To organize public awareness campaigns and support social work to this end.

4. To propose amendments to some provisions of the Jordanian Penal Code of 1960 and the Code of Criminal Procedure concerning children under 18 years of age.

5. To provide training in diagnostic methods for persons working in legal, health and psychiatric fields.

6. To document and deal with cases of ill-treatment and neglect.

21. To these ends, with support from the Ministry of Social Development, the Child Protection Unit established a subunit known as the National Child Protection and Rehabilitation Centre to protect children from ill-treatment. This subunit, which is the first of its type in Jordan, provides a clear indication of the extent of the Kingdom's commitment to the rights of the child in general and to the protection of children from ill-treatment in particular.

F. The Family Protection Division at the Directorate of Public Security

22. The Family Protection Division, which was established at the Directorate of Public Security in 1997, was the first of its type in Jordan. It is responsible for investigating and dealing with cases of violence and ill-treatment to which women and children are subjected in various parts of the Kingdom. It is empowered to receive, hear and investigate complaints from child victims of offences, aggression, ill-treatment and neglect without the approval of the child's guardian who, in some cases, might be the aggressor.

G. The Conference on Children and the formation of the Children's Parliament

23. The new developments during the last five years also include the holding of the National Conference on Children at which the idea of establishing a Children's Parliament was put forward. These constituted two serious attempts to make the provisions of the Convention on the Rights of the Child more widely known, to ensure that all sections of society benefited therefrom and to help children with special needs by allocating them 2 per cent of the total number of seats in that Parliament. The non-governmental organizations continued their endeavours by stepping up their demands for modernization of the legislation in order to bring it into line with the provisions of the Convention on the Rights of the Child. A Children's Guesthouse and Family Counselling Centre was also recently opened. 4/ The non-governmental organizations will notify the Committee on the Rights of the Child of any new programmes and achievements during the period from the submission of the periodic report for 1998 to the date on which this report is considered.

IV. COMMENTS ON THE CONCLUDING OBSERVATIONS OF THE COMMITTEE

24. In its concluding observations on Jordan's initial report, the Committee on the Rights of the Child referred to some factors which, in its opinion, were impeding the implementation of the Convention. This part of the report summarizes and comments on some of those observations.

Paragraph 6

25. Jordanian society is still suffering from many economic and social problems caused by the Gulf war in 1991, the principal adverse effects of which are described below.

26. Jordan's population has increased due to the influx of thousands of Iraqi immigrants and Jordanian workers repatriated from the Gulf States. This has led to a significant increase in the population, which placed an additional burden on the limited economic resources and the limited services available in Jordan.

27. Jordan is currently suffering from economic inflation as well as rising poverty, unemployment and crime rates attributable to various factors and, in particular, to the political and socio-economic situation. According to the statistics, in 1998 the crime rate per 100,000 of the population was 62.22 per cent higher than in 1997, which is indicative of the extent of the economic and social imbalances. A review of criminality in the Kingdom during the last three years shows that the number of offences committed amounted to 38,979 in 1995, 45,823 in 1996 and 46,713 in 1997. It is noteworthy that the annual population growth rate amounts to 3.4 per cent. The number of acts of violence against women amounted to 679 in 1998 (16 murders, 26 attempted murders, 21 abductions, 217 acts of grievous bodily harm, 353 indecent assaults, 42 rapes and 4 accidental homicides). In 1997, the number of offences committed against women amounted to 486 (37 murders, 22 attempted murders, 25 abductions, 88 acts of grievous bodily harm, 234 indecent assaults, 82 rapes and 8 accidental homicides). 5/ Immigrant workers contributed, directly or indirectly, to the increase in the unemployment and crime rates in Jordan.

28. In view of Jordan's geographical location, it has recently been used as a transit point for drug traffic. The drug transport operations across Jordan to neighbouring States which the competent authorities have discovered have contributed to the proliferation of the phenomenon of drug use in the 16-20 age group. During the last five years there has been an increase not only in drug trafficking across Jordan but also in the incidence of drug use and addiction in society. Although the incidence is still low, this phenomenon is causing concern to the non-governmental organizations and necessitates cooperation by all in order to formulate preventive and remedial plans.

Paragraph 7

29. When drawing up local laws and legislation, the Jordanian legislature does not distinguish between refugee children and other children. However, the political and economic circumstances that Jordan is facing are impeding implementation of the provisions of the Convention concerning protection of the status of refugee children. The non-governmental organizations therefore believe that the problem of Palestinian refugees in Jordan should be solved by granting them the right to return to their country.

30. The non-governmental organizations reaffirm the resolution of 16 April 1997 in which the House of Representatives demanded that the Palestinian refugees, like all other refugees throughout the world, should be

covered by the provisions of international law concerning refugees and that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) should be merged with the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to ensure the application of those legal provisions.

Paragraph 8

31. One of the principal factors and difficulties impeding implementation of the Convention consists in some customs and traditions that Jordanian society has inherited, particularly in regard to discrimination between males and females from birth. In spite of all the workshops and educational symposia that have been held to advocate non-discrimination between males and females, some family customs and traditions are still discriminatory in regard to the roles of males and females. Hence, the non-governmental organizations have a responsibility to hold more educational symposia and workshops with a view to promoting greater public awareness and eliminating such inherited discrimination in customs and traditions.

Paragraph 9

32. The non-governmental organizations believe that, although the right of the child to freedom of thought and conscience are among the child's basic rights, freedom of religion has several implications. The freedom of individuals to express their religions and beliefs is not absolute since it is subject not only to the restrictions laid down in the law and the regulations concerning public order but also to the rights and fundamental freedoms of others. Article 14 of the Jordanian Constitution guarantees the right of individuals to engage in religious observances ("The State shall protect freedom of religious observance and belief in accordance with the customs observed in the Kingdom provided that they are not detrimental to public order or morals".).

33. The freedom of individuals to choose or abandon their religion is incompatible with the provisions of the divinely revealed laws. In Jordan there are two divinely revealed religions, Islam and Christianity, neither of which permit an individual to abandon his religion or choose another religion. Moreover, the individual's family links and the religious and ideological upbringing that individuals receive within their families in Jordan do not permit the renunciation of religion in view of the adverse consequences that this would have on the personality of the child. The Jordanian Constitution and laws seek to safeguard the right of individuals to preserve their religion and, therefore, prescribe penalties for offences against religion.

34. With regard to the reservation made in connection with article 20 of the Convention, the non-governmental organizations believe that paragraph 3 of article 20 grants States parties the right to choose alternative care in keeping with its religious beliefs and/or the particularities of its society. Accordingly, the Islamic States have the right to choose kafalah in accordance with the provisions of the Islamic Shariah and, therefore, no reservation is needed concerning this article.

35. Since Jordan applies the system of kafalah, in accordance with the provisions of the Islamic Shariah, with a view to safeguarding the best interests of the child, the reservation concerning article 21 should be reviewed.

Paragraph 10

36. Earnest endeavours are being made to amend some of the existing legislation in order to bring it into full conformity with the Convention on the Rights of the Child by overcoming discrepancies or lacunae in the national legislation. In particular, the Legal Committee established by the National Task Force for Children has drafted a Jordanian Children's Rights Act in conformity with the principles of the Convention on the Rights of the Child which, together with other Arab instruments, constitutes the main source of reference for this bill of law.

37. The Jordanian Labour Act of 1996 has been amended in conformity with the Convention by making the employment of children subject to conditions and restrictions and by specifying a minimum age for employment. Hence, the employment of children under 16 years of age in any manner whatsoever is prohibited, as is the employment of children in occupations that are hazardous or detrimental to their health if they are under 17 years of age. It is likewise prohibited to employ children for a period exceeding six hours, which must include a one-hour daily rest period.

38. In spite of the penalties provided for in the Act that the Jordanian legislature promulgated to curb the ill-treatment of children, and particularly their sexual exploitation, the non-governmental organizations are preparing amendments to the Penal Code with a view to curbing all forms of ill-treatment and violence against children in view of the recent increase in the number of offences involving physical or psychological harm, neglect and sexual exploitation of children, as well as their employment in tourist facilities. The aim of these amendments is to impose heavier penalties on the perpetrators of such offences against children and to ensure that anyone who fails to notify the competent authorities of acts involving ill-treatment of children is held criminally responsible. 6/ Following their approval by the official bodies concerned, these amendments will be incorporated in the draft Jordanian Children's Rights Act.

39. The Legal Committee established by the National Task Force for Children is also diligently endeavouring to amend the Juveniles Act.

40. The non-governmental organizations believe that, in spite of these earnest endeavours to amend legislative enactments, some local laws and legislation are still in urgent need of modernization. In view of some acts of abduction and trafficking in children that have recently occurred in the Kingdom, the Jordanian legislature should either amend the Abolition of Slavery Act of 1929, which is still in force, or promulgate a new Act to prevent trafficking in children in a manner more consistent with the new developments and changes that have taken place in Jordanian society.

41. With regard to the Committee's question concerning the minimum age for marriage, article 5 of the Personal Status Act (1976) sets the minimum age of

eligibility for marriage at 16 years for young men and 15 years for young women, while the Jordanian Civil Code (1976) sets the age of majority at 18 years. This is in keeping with the Convention on the Rights of the Child. The draft Jordanian Children's Rights Act also defines a child as any person under 18 years of age.

42. Accordingly, the non-governmental organizations are intensifying their endeavours to increase the age of marriage, for both men and women, to 18 since they are convinced that the physical, mental and emotional development on which eligibility for marriage is largely based cannot be found in persons under 18 years of age. However, there are fears that the incidence of offences against the code of morality might rise in hot and remote areas if the age for marriage were increased. Consequently, the non-governmental organizations should prepare educational and counselling programmes, as well as workshops and public information symposia, in an attempt to avert such fears.

43. With regard to the administration of juvenile justice, at the local level Jordan has special courts for juveniles and has also promulgated a special legislative enactment (the Juveniles Act No. 24 of 1968), article 2 of which divides juveniles into the following three categories:

1. Young person: Every person over 7 but under 12 years of age.

2. Adolescent: Every person over 12 but under 15 years of age.

3. Youth: Every person over 15 but under 18 years of age.

44. Under the terms of article 18 of the Juveniles Act (1968), criminal proceedings cannot be brought against any person who was under 7 years of age at the time of his commission of an offence, no juvenile under 18 years of age can be sentenced to capital punishment or imprisonment with hard labour and youths or adolescents who commit offences are liable to lesser penalties than adults. For example, a youth or an adolescent who commits a felony punishable by capital punishment or imprisonment with hard labour for life or for a fixed term is liable only to a term of detention as specified in the provisions of the Act. No penalty can be imposed on young persons in the 7-12 age group who, being liable only to the requisite protection measures, are delivered into the custody of their parents or placed in a juvenile welfare institution or centre. The Legal Committee supervising the drafting of the Children's Rights Act is endeavouring to amend the Juveniles Act, and particularly the judicial measures that can be imposed on juveniles, in such a way as to ensure that the requisite protection measures are taken not only in the case of juveniles under 12 years of age but also in the case of those under 15 years of age by delivering them into the custody of one of their parents or their guardian or by placing them in a juvenile welfare institution or centre, without resorting to the courts or taking judicial measures against them, and in such a way as to ensure that juveniles over 15 years of age who commit offences are liable to lesser penalties than adults.

45. In addition to the above, at the official level, a Legal Committee, consisting of a judge from the Judicial Council, the Director of Social Defence at the Ministry of Social Development and a high-ranking officer from

the Directorate of Public Security, has been formed to review article 30 of the Juveniles Act of 1968 with a view to according probation officers the status of criminal investigation offices and also with a view to restructuring the juvenile courts so that they will consist of a judge, a representative of the Ministry of Social Development and a male or female psychologist. The Committee is also considering the need to introduce a female element in the judicial handling of child-related matters, as well as the need to establish a specialized juvenile police force. In actual fact, a Family Protection Unit has been established at the Directorate of Public Security to coordinate and collaborate with private organizations concerned with child protection. This Unit is staffed by competent psychologists who supervise the investigation of offences involving children. In view of the sensitive nature of these investigations, particularly those concerning young girls, the Directorate of Public Security is constantly increasing the number of female police officers, especially in the field of criminal investigation. In the light of the above, it is evident that Jordan is diligently modernizing its legislation in order to bring the administration of juvenile justice into greater conformity with the Convention on the Rights of the Child.

Paragraph 11

46. Article 6 of the Jordanian Constitution emphasizes that Jordanians are equal before the law, without any discrimination among them in regard to their rights and obligations on grounds of race, language or religion. The National Charter promulgated in 1991 stipulates even more clearly that all male and female Jordanians are equal before the law, without discrimination among them in regard to their rights and obligations on grounds of race, language or religion. The draft Jordanian Children's Rights Act also emphasizes that there must be no discrimination among children on grounds of race, language, religion or sex. In spite of this, however, there are still some misguided discriminatory practices resulting from customs and traditions inherited from earlier generations. Although inheritances are distributed in accordance with the provisions of the Islamic Shariah, there are some erroneous family practices and customs under which females are made to feel that it is wrong (or shameful) for them to demand their legitimate rights.

47. With regard to the right to leave the country and to acquire nationality, the Nationality Act (1954) stipulates that the children of a Jordanian father are Jordanians regardless of their place of birth, that a child who is fatherless or of unknown paternity is entitled to Jordanian nationality and that a foundling born in Jordanian territory is also entitled to Jordanian nationality.

48. Under the draft Jordanian Children's Rights Act, the child of a Jordanian is entitled to Jordanian nationality at birth and the Act does not make the child's acquisition of nationality conditional solely on the nationality of his or her father. The non-governmental organizations in Jordan are currently endeavouring to amend the Nationality Act in such a way as to ensure that a child has the right to acquire the nationality of his or her mother if the mother holds Jordanian nationality. In this connection, it is noteworthy that the recent amendment made to the Passports Act during the preparation of this report in 1998 grants a Jordanian wife and her male and

female children the right to apply for a passport of their own without the need to obtain the written permission of their husband or guardian as was previously required under the terms of the Act.

49. With regard to the minimum age for marriage, as already indicated, the non-governmental organizations are organizing workshops, symposia and information programmes in an attempt to form a lobby in favour of increasing the age for marriage to 18 years for both sexes.

Paragraph 12

50. There are two types of courts that hear family matters and apply the Personal Status Act in Jordan:

1. The Islamic Shariah courts, which apply the Personal Status Act to Muslims (marriage, divorce, maintenance and custody).

2. The ecclesiastical courts, which apply the Personal Status Act to non-Muslims (marriage, separation and maintenance).

If the parties involved belonged to different religions, the case is heard, by mutual consent, before the ordinary (secular) courts.

51. With regard to children of the Baha'i community, the Jordanian Government is carefully studying the question of the Baha'i community and is currently looking into the possibility of granting them appropriate confessional status in accordance with Jordanian law. It is noteworthy that the Government has instructed the various civil departments to facilitate procedures involving the Baha'is without prejudicing their rights, regardless of whether they are children or adults, until the question of their legal status has been settled.

Paragraph 13

52. Jordan is facing many difficulties due to the successive waves of immigration, from the influx of Palestinian refugees to the more recent arrival of refugees during the Gulf war. These successive waves of immigration, together with the economic circumstances that Jordan is experiencing due to the increasingly widespread poverty and unemployment, have adversely affected the lives of refugee children and are causing concern to the non-governmental organizations. The cutback in the services that UNRWA provides for Palestinian refugees due to its accumulated budgetary deficit is also increasing the fears of non-governmental organizations concerning the lack of protection for Palestinian refugee children. Accordingly, the non-governmental organizations have an obligation to lobby official and international bodies with a view to securing protection for refugee children.

Paragraph 14

53. In spite of the amendment to the Jordanian Labour Act and the promulgation in 1996 of labour legislation that regulated and restricted the employment of children, minor children are still working in various fields. The National Task Force for Children has carried out a study on child labour

in Jordan, on the basis of which it has formulated a plan to protect minor children from employment which would deprive them of the opportunity to attend school. 7/ In this connection, it should be noted that Jordan ratified ILO Convention No. 138 on the minimum age of employment at the end of 1997.

Paragraph 15

54. One of the most important measures taken to curb domestic violence was the establishment of the Family Protection Division, which includes a Child Abuse Unit, in 1997 in collaboration and coordination with the non-governmental organizations. The reasons for the establishment of this Unit included:

(a) The recent increase in the number of cases involving offences against women and children;

(b) The new trend in the criminal methods used to commit these acts of aggression;

(c) The need to change the methods used to interview and question victims of domestic violence in a manner consistent with human rights;

(d) The need to keep pace with changes in Jordanian society by encouraging victims of domestic violence to file complaints with the official authorities;

(e) The need for the State to assume its obligation to safeguard the human right to physical and mental integrity and protection from acts of aggression, even if the aggressor is a kinsman. 8/

55. During the first half of 1998, this newly established division dealt with 235 cases of violence, mostly involving bodily harm and sexual harassment, against women and children. 9/ Some non-governmental organizations, including women's clubs and federations and charitable associations working in the field of family protection also established legal offices and counselling and guidance centres with hotlines to receive complaints from children and look into cases of domestic violence in collaboration with the official authorities concerned in the Family Protection Division.

Paragraph 16

56. Article 92 of the Penal Code has nothing to do with the question of juveniles. The relevant article is article 94 of the Code, which was rescinded under the terms of article 37, paragraph 2, of the Juveniles Act and replaced by article 18 of the Juveniles Act which stipulates that criminal proceedings cannot be brought against a juvenile under 7 years of age and that capital punishment cannot be imposed on any person under 18 years of age. As already indicated, the Juveniles Act makes provision for lighter penalties for juveniles over 12 years of age (youths and adolescents) who commit offences. Juveniles under 12 years of age are liable only to the measures needed to ensure their protection.

57. The Legal Committee that drafted the Jordanian Children's Rights Act is endeavouring to amend the Juveniles Act in such a way as to ensure that the requisite protection measures are taken not only in the case of juveniles under 12 years of age but also in the case of those under 15 years of age by delivering them into the custody of their parents or placing them in a juvenile welfare institution or centre, without resorting to the courts, and in such a way as to ensure that lighter penalties are imposed on juveniles over 15 but under 18 years of age.

58. With regard to the detention of juveniles who have not been convicted of any offence, article 28 of the Juveniles Act stipulates that a person may be detained or confined in a juvenile reformatory only on the basis of a court order. Article 4 of the same Act defines a juvenile reformatory as a place for the detention of juveniles, who may also be detained in the juvenile section of a prison, where they are isolated from adult criminals, if they are found to be of bad character or rebellious to such an extent that they cannot be trusted and, therefore, cannot be allowed to remain in the reformatory.

59. Some non-governmental organizations have attempted to address the problem of juveniles awaiting trial by accommodating them in a special centre in which they benefit from counselling and family programmes and free legal services. The non-governmental organizations are also strongly in favour of the establishment of special premises in which juveniles can be held in custody away from the prisons, which have adverse psychological and physical effects on children even when they are detained in a separate section of the prison.

60. The Legal Committee of the National Task Force for Children is endeavouring to amend the Juveniles Act in such a way as to ensure that rebellious juveniles are detained in special premises away from the prisons and outside their jurisdiction.

Paragraph 17

61. We have already replied to this suggestion (see the comments on paragraph 9 in this report).

Paragraph 18

62. In accordance with rulings handed down by the Supreme Court and the Court of Cassation during the period 1988-1998, international treaties ratified by Jordan take precedence over Jordanian legislation, with the exception of the Constitution, but are not legally binding. The non-governmental organizations therefore believe that the principles embodied in such treaties should be incorporated in the national laws and legislation in order to make them legally enforceable. This would also apply to the Convention on the Rights of the Child. To this end, the non-governmental organizations lost no time in drafting the Jordanian Children's Rights Act, which is in conformity with the principles of the Convention on the Rights of the Child. In this connection, it is noteworthy that the provisions of international treaties, including the Convention on the Rights of the Child, have never been invoked in any cases or complaints brought before the

Jordanian courts, which confirms the importance of incorporating the provisions of these treaties in the national legislation and local laws in order to make them legally binding.

63. It should also be noted that the non-governmental organizations are formulating proposed amendments to some legislative enactments, to which reference has already been made in this report, in order to bring them into full conformity with international treaties. An example of this is the new draft Personal Status Act.

Paragraph 19

64. The establishment of the National Task Force for Children as a national mechanism to monitor the implementation of the provisions of the Convention on the Rights of the Child and to coordinate the joint endeavours of official, private and international bodies concerned with child-related issues is a positive indication of the Government's desire to implement the provisions of the Convention on the Rights of the Child. The formation of the executive arm of the National Task Force for Children, consisting in the National Coalition for Children which includes representatives of the governmental and private sectors as well as non-governmental and international organizations and the liberal professions, experts, leading personalities in various fields, children and their families and local and international donors, is also a further indication of joint collaboration with a view to the implementation of the provisions of the Convention. This Coalition is endeavouring to facilitate, consolidate, support and speed up relevant programmes and activities designed to ensure a decent life for all categories of children and promote their equal enjoyment of their rights.

Paragraph 20

65. In 1996, the National Task Force for Children set up a Research and Database Unit as a technical arm to help it to implement its programmes to improve the situation of children in Jordan through the establishment of a mechanism to monitor the implementation of the provisions of the Convention on the Rights of the Child. This Research and Database Unit is endeavouring to identify the problems that children face in Jordan, to coordinate the research endeavours concerning children in Jordan, to create a research environment that is effectively oriented towards child-related issues and to encourage persons responsible for decision-making, the formulation of policies and the implementation of programmes to make optimum use of statistics and data when taking decisions and formulating policies and programmes concerning the various aspects of childhood. The Unit's operational strategy is to achieve the above objectives through the establishment of an information network linking the Task Force with other local, Arab and international organizations and institutions concerned with child-related issues. One of the Unit's responsibilities is to gather data, information, statistics and research reports, which it reviews, checks, analyses and studies with a view to bridging gaps and remedying shortcomings in fields of research concerning various child-related issues. The Unit also has a responsibility to disseminate the cumulative findings of its studies among persons monitoring or concerned with child-related issues and, to this end, the Unit is endeavouring

to establish a comprehensive computerized database on the situation of children in Jordan for all persons concerned with child-related issues.

Paragraph 21

66. The National Task Force for Children has begun to implement a comprehensive three-year national programme covering the period from November 1997 to the year 2000 for the provision of training in the principles and rules laid down in the provisions of the Convention on the Rights of the Child. This training programme targets the staff of official and non-official institutions operating in various child-related fields so that the staff so trained can, in turn, train other persons working for their institutions as part of a programme covering all areas of the Kingdom. Specialized programmes are currently being prepared to provide persons working in the administration of justice with training in the provisions of the Convention on the Rights of the Child so that they can act as a lobby in favour of the development and modernization of the legislation and laws concerning children in Jordan.

67. The membership of the National Coalition for Children includes persons working in the legal sector, such as judges and lawyers who sit on the specialized Legal Committee that is endeavouring to implement the strategy comprising a plan of action to provide training in the provisions of the Convention.

Paragraph 22

68. Article 6 of the Jordanian Constitution stipulates that there must be no discrimination among Jordanians in regard to their rights and obligations on grounds of race, language or religion. This was reaffirmed by the National Charter promulgated in 1991 which stipulated that all Jordanians, whether male or female, are equal before the law regardless of their race, language or religion. However, the legal status of the National Charter remains ambiguous since it is regarded as a conceptual document the enforceability of which has not yet been tested in the courts. Hence, there is a need for a judicial ruling concerning the status of the Charter in Jordanian legislation, as well as confirmation of its legally binding nature, in order to put our minds at rest with regard to equality between the sexes.

69. On the question of children born out of wedlock, Jordanian law distinguishes between legitimate children and those born out of wedlock when they are entered in the civil status registers. A legitimate child is registered under the name of his or her father after the child's legitimacy has been established by a contract of marriage, while a child born out of wedlock is entered in a special register under a pseudonym unless one of the child's parents agrees to the child's registration under his or her name. The rules concerning inheritance (Civil Status Act, 1973) are derived from the provisions of the Islamic Shariah under which a legitimate child is entitled to inherit while a child born out of wedlock has no such entitlement. The non-governmental organizations are therefore advocating the adoption of measures under which a child born out of wedlock would enjoy rights that compensate for the deprivation of inheritance by strengthening the role of the Islamic kafalah in order to ensure a decent life for the child.

Paragraph 23

70. The non-governmental organizations, including the Child Abuse Unit, have conducted studies on the extent and nature of domestic violence in the light of which they have formulated amendments to the Penal Code, particularly in regard to all forms of ill-treatment of children, so that these amendments can be adopted, after passing through the official channels, and subsequently incorporated in the draft Jordanian Children's Rights Act under the section entitled "Violence against children". With regard to the crimes of honour that are committed against young women, the non-governmental organizations have called for the abrogation of article 340 of the Penal Code, concerning crimes of honour, which exculpates anyone who kills his wife or any close female relative who is caught in flagrante delicto while committing adultery. The abrogation of this article is still under study. In this connection, reference must be made to the practice of some guardians who incite juveniles to commit offences in order to take advantage of the provisions of the Code under which a juvenile is liable to a lesser penalty than an adult. The non-governmental organizations are therefore calling for the imposition of heavier penalties on persons who encourage juveniles to commit such offences.

71. A positive step in this direction, to which reference has already been made in this report, was the recent establishment by the Ministry of the Interior of a Family Protection Directorate with branches in all the governorates to deal with victims of domestic violence, sexual offences and child abuse and protect them from rape and other sexual offences in collaboration with the organizations concerned with such cases.

72. In this regard, the non-governmental organizations are deeply concerned by the evident alarming increase in the extent of the problem of child abuse. For example, the statistics show that there were 1,945 reported cases of child abuse in 1995 (this figure does not take into account the cases that were never reported or discovered because of family considerations or misguided social traditions and concepts that are still prevalent in Jordanian society).

73. According to the information available to the non-governmental organizations, in 1995 there were about 249 cases of grievous physical assault on children, including 18 cases of attempted murder and 92 cases of involuntary homicide. With regard to sexual assault on children, the statistics indicate that there were 371 cases of sexual harassment (42 committed against young girls and the others against young boys), 170 cases of ordinary violence and 396 cases of gross neglect. According to the available information, an average of five cases of child abuse occur every day (this figure does not include cases involving the economic exploitation or illegal employment of children). 10/

74. The non-governmental organizations are endeavouring to promote greater public awareness and social support in various ways in order to reduce the increasing number of cases of child abuse. They are also attempting to find preventive and remedial solutions to this phenomenon. The non-governmental organizations are calling for the introduction of human rights concepts into the curricula of the Ministry of Education and have also proposed that the Ministry should provide teachers with appropriate training in keeping with the instruments concerning the rights of children.

Paragraph 24

75. The subject of human rights has actually been incorporated in the academic curricula of classes at the basic educational level. The non-governmental organizations believe that the provisions of the Convention on the Rights of the Child should be taught in such a way as to reflect the important values of peace, tolerance and respect for human rights. However, the non-governmental organizations are constantly calling for the incorporation of the provisions of the Convention in the academic curricula at all educational levels and for active student participation therein. They also believe that culture, art, the theatre and music should be accorded a more important role in curricular and extracurricular activities with a view to safeguarding the civil and human rights of children. Although the non-governmental organizations are making efforts in this field through the Educational Theatre Programme, the aim of which is to teach the art of settling disputes by peaceful and equitable means and to promote dialogue among children of various age groups, they believe that the efforts made are still insufficient. The establishment of the Children's Parliament has provided children with an opportunity to express their views and solve their problems in a democratic and civilized manner.

Paragraph 25

76. The Jordanian Constitution stipulates that all Jordanians have a right to education, which is compulsory for a period of 10 years at the basic levels. Article 20 of the Education Act (1994) further stipulates that education is compulsory and free of charge for both sexes at government schools for a period of 10 years. In accordance with paragraph (h) of the same article, students cannot leave the education system before reaching the age of 17 years. In other words, the policy of the Ministry of Education is to encourage students to complete their education by refusing to allow them to leave the education system before completion of the basic stage.

77. However, the phenomenon of school drop-outs, particularly in remote areas, remains a source of deep concern to the non-governmental organizations. According to the statistics of the Ministry of Education, the school drop-out rate is at least 1.6 per cent. 11/ The draft Jordanian Children's Rights Act therefore makes provision for the imposition of penalties on anyone who encourages a child to leave school or take up employment before completing the compulsory stage of education. The study on the employment of children in Jordan which was conducted by the National Task Force for Children in 1998 indicated that poverty, ignorance and the school environmental situation were among the principal causes of the phenomenon of school drop-outs in remote areas and in the Palestinian refugee camps which was further aggravated by the lack of adequate concern for the early stage of childhood, joint responsibility for which is borne by the Ministry of Education, the Ministry of Social Development and the non-governmental organizations. 12/ A study to evaluate education at the pre-school stage was recently undertaken by the Ministry of Education in association with the Faculty of Education at Jordan University and with support from UNICEF which subsequently organized a meeting of all the official and private institutions concerned in order to review the

findings of the study and discuss ways of addressing this issue in view of the importance of this stage of children's lives in which they should be prepared for the various subsequent stages of education. 13/

78. A number of non-governmental organizations have organized workshops, symposia and lectures to examine the causes of school drop-outs and find solutions to deal with this problem, particularly among females who abandon their education for various reasons such as early marriage, domestic service, poverty and ignorance.

79. The non-governmental organizations are therefore inviting official and private bodies to cooperate with them in the formulation of remedial programmes to alleviate the causes of poverty, improve the school and academic environment and increase curricular and extra-curricular activities, as well as the activities of cultural, sports and recreational clubs, in an attempt to reduce the school drop-out rate. The non-governmental organizations are also endeavouring, in collaboration with the Ministry of Education and other institutions concerned, to find more effective ways to improve the standard of reading and writing skills as part of the programme for the eradication of illiteracy, particularly in remote rural and nomadic communities.

80. The inclusion of the provisions of the Convention on the Rights of the Child in the curricula of the compulsory stage of education (tenth grade) was achieved as a result of increased awareness among responsible officials in the official and private sectors following an intensive campaign by a number of organizations advocating the incorporation of the Convention in academic curricula. The Ministry of Education and some non-governmental organizations, in collaboration with UNICEF, are currently working on the introduction of the provisions of the Convention on the Rights of the Child in the various academic curricula, from the primary stage of basic education, and also in the curricula of the Faculties of Law of Jordanian universities, particularly Jordan and Mutah Universities.

81. UNICEF has prepared a regional project covering six Arab States, including Jordan, under which human rights instruments, and particularly the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, would be taught at universities and colleges, especially faculties of law. These States attended a conference at Beirut in October 1997 which was organized for this purpose by UNICEF in collaboration with the Lebanese University.

Paragraph 26

82. Most countries of the world have acceded to the 1951 Convention relating to the status of refugees, which has become part of international law. However, the region's circumstances and its ongoing instability at various levels have so far prevented Jordan's accession to that instrument. For example, from 1947 to 1948, hundreds of thousands of Palestinians migrated to Jordan after being driven from Palestine, their homeland, by Israeli tyranny. Further hundreds of thousands were later displaced to the East Bank of Jordan in 1967 when Israel occupied the rest of Palestine, which was currently known as Jordan's West Bank. About 1.4 million Palestinian refugees are now living in Jordan where they constitute 33 per cent of the country's total population.

Jordan has a larger number of refugees than any other country in the UNRWA area of operations. 14/ Furthermore, as a result of the Gulf war in 1991, a quarter of a million Jordanians, Palestinians, Iraqis and other nationals were displaced to Jordan. The situation that ensued clearly convinced the authorities that Jordan's limited resources precluded the reception of other groups of refugees. Nevertheless, the debate is continuing concerning the possibility of accession to that Convention, particularly if stability is achieved in the region and the political right of Palestinian refugees to return and receive compensation is recognized. In this connection, the Jordanian Ministry of the Interior and UNHCR recently concluded an agreement regulating some basic issues concerning asylum seekers pending completion of the study of the question of accession to that Convention. This means that Jordan is morally committed to the substance of the Convention and is endeavouring to implement its principles as far as possible. Although UNRWA bears the primary responsibility for education, health, culture and social services for the population of the Palestinian refugee camps, including refugee children, a number of non-governmental associations are also serving refugee children in those camps. For example, in 1997, family counselling centres were established at the Baqaa Palestinian refugee camp in order to provide legal and social counselling and health and economic services for families, including children, through the organization of informative lectures, symposia and workshops designed to reduce the school drop-out rate and emphasize the importance of educating females and opposing early marriage.

Paragraph 27

83. As already mentioned in this report, the Legal Committee of the National Task Force for Children is making diligent endeavours to amend the Juveniles Act in a manner consistent with the relevant Arab and international conventions and covenants. The main proposed amendments concern the need to take the necessary measures to ensure the rehabilitation and social reintegration of juveniles in conformity with the provisions of the Convention and, in particular, article 39 thereof which emphasizes the importance of the social reintegration of a child victim of any form of neglect, exploitation, abuse or torture.

84. We have already referred to the question of child abuse and the measures taken to amend the legislation in order to curb such abuse. The new bill of law concerning children's rights covers various fields, including all forms of physical and psychological violence, neglect, abduction and economic or sexual exploitation of children.

85. In this connection, the non-governmental organizations are stressing the need for more intensive endeavours to secure the adoption of the amendments to the Penal Code, including the amendments to article 389 thereof, in order to protect children by imposing heavier penalties on anyone who abuses or exploits them in any way. At the official level, a Legal Committee consisting of a judge, a representative of the Ministry of Social Development and a high-ranking Public Security officer has been formed to study and amend the Juveniles Act of 1968, as already amended in 1983, in order to bring it into greater conformity with the requirements of the Convention.

Paragraph 28

86. The mechanism already established to monitor the situation of working children undoubtedly necessitates not only a review of the current legislation concerning employment in Jordan but also access to information concerning the situation of working children.

87. At the legal level, the labour legislation of 1996 placed restrictions and conditions on the employment of children by prohibiting the employment of children under 16 years of age in any manner whatsoever, by prohibiting their employment in occupations that are hazardous or detrimental to their health and by prescribing penalties for any employer or manager of an enterprise who violates these provisions concerning the employment of children.

88. In spite of these legislative provisions, every day we find children under this age working in various occupations detrimental to their health. Most of them are school drop-outs who have been denied their right to education and have become the victims of difficult circumstances. For this reason, the draft Jordanian Children's Rights Act calls for the imposition of heavier penalties on employers or managers of enterprises who employ children under this age. The Act also calls for the imposition of penalties on guardians or any other persons who encourage children to work while they are under the age of employment and, to this end, proposes that the inspectorate at the Ministry of Labour should be strengthened.

89. In this connection, it is noteworthy that the provisions of the Jordanian Labour Act do not apply to some categories of workers such as members of the employer's family, domestic servants, gardeners, cooks and agricultural workers of whom children constitute a large proportion. Consequently, the Legal Committee of the National Task Force for Children believes that there is a need to amend the labour legislation of 1996 in order to protect children in these categories to which the provisions of the Act do not apply. In view of the fact that Jordan recently ratified ILO Convention No. 138, the Labour Act will have to be amended in a manner consistent with that Convention.

90. The findings of the study on child labour in Jordan showed that a large percentage of working children are subjected to various forms of physical and psychological ill-treatment and exploitation and many working children are also exposed to various types of industrial accidents.

Paragraph 29

91. During the preparation of the present report, the National Task Force for Children took care to distribute Jordan's initial report among the largest possible number of non-governmental, governmental and other organizations specialized in child-related fields since it was aware that they were entitled to have full access to the contents of that report, to the concluding observations of the Committee on the Rights of the Child on Jordan's report and also to the general guidelines on the form and content of periodic reports. The Committee's observations and recommendations concerning the implementation of the Convention were also distributed among the members of the National Coalition for Children, in which private, official and

international bodies are represented, so that it could transmit its comments and views on the observations of the Committee on the Rights of the Child to the Task Force.

V. PHENOMENA AND ISSUES THAT ARE STILL CAUSING CONCERN TO THE NON-GOVERNMENTAL ORGANIZATIONS

92. The socio-economic changes that occurred in Jordanian society as a result of various factors from 1993 to 1998, and particularly the 3.4 per cent rise in the overall population growth rate, the waves of immigration from abroad and the continuous internal migration from rural and nomadic areas to the cities, led to the emergence of numerous social problems that affected children. For example, the phenomena of begging, under-age employment, school drop-outs and violence are causing concern to the non-governmental organizations.

93. Although Jordan is eager to implement the provisions of the Convention on the Rights of the Child, some difficulties are still impeding their full implementation. The main difficulty facing the non-governmental organizations is the lack of indicators to assess the extent of the progress made in the health, economic, social and cultural fields. The non-governmental organizations attach special importance to these indicators, which are needed for the evaluation of their achievements in various child-related fields and for the preparation of their programmes and plans of action and therefore constitute one of their top-priority objectives. Some of the phenomena and issues of concern to the non-governmental organizations are reviewed below:

A. Education

94. The Constitution stipulates that all citizens have a right to education. The Education Act confirms the State's concern for education since it explicitly states that the basic stage of education is compulsory and free of charge for a period of 10 years. In accordance with the Ministry's policy, students are not allowed to leave school before reaching the age of 17. However, in spite of Jordan's achievements in the field of education, as illustrated by the reasonable student-teacher ratio (22.6 students per teacher), the overall enrolment rate, the high rate of enrolment at the basic stage of education (95 per cent) and the acceptable rate of enrolment at the secondary stage of education (70 per cent), the statistics compiled by Jordan's Ministry of Education indicate a low enrolment rate (25 per cent) at the kindergarten stage. 15/ The vast majority of kindergartens in Jordan are operated by the private and voluntary sectors, mainly in the cities. In the academic year 1994/95 there were 716 kindergartens of which 422 (58.94 per cent) were operated by the private sector, 291 (40.64 per cent) by the voluntary sector and 3 (0.4 per cent) by the governmental sector. Most of these kindergartens (568 establishments constituting 79.2 per cent of the total) were in the cities and only a small proportion were being operated in remote and poverty-stricken areas. 16/ The statistics for 1996/97 showed that the number of kindergartens had risen to 833 and the enrolment rate amounted to 27 per cent for males and 23 per cent for females in the 4-5 age group. Although the kindergartens are concentrated in the cities, their number remains inadequate, particularly if the size of the population is taken into account, and children in remote areas lack kindergartens to develop their

abilities and capacities. The non-governmental organizations are therefore urging the Ministries concerned to increase the number of kindergartens in remote areas. 17/

95. Educational services at the pre-school stage are inadequate from the qualitative as well as the quantitative standpoints since, with the exception of some kindergartens and nursery schools in the cities, the services provided for children of pre-school age in Jordan are generally of a low standard and most of these establishments lack appropriate premises, equipment, facilities and qualified staff. The non-governmental organizations are therefore calling for cooperation and coordination between the governmental and private sectors in order to increase the number of kindergartens, improve their standard, stimulate public awareness concerning the need for enrolment therein, and reduce the financial burdens entailed by such enrolment in order to make it affordable to all. To this end, the non-governmental organizations are proposing that the Ministry of Education increase its budgetary appropriations for this stage of education in view of its importance in the lives of children. They are also proposing that municipal councils be assigned a role in this field. The non-governmental organizations are stressing the need to develop training programmes for the directors, teachers and supervisors of kindergartens, the need for kindergartens to respond to the requirements of the local community and to remain in close contact with mothers and families, and the need for public information programmes to make parents and guardians more aware of the importance of the stage of early childhood and the best ways to develop the skills and abilities of children.

96. The statistics show that the failure rate at the stage of compulsory education among students in the fourth to tenth grades amounts to no more than 1 per cent. 18/ This rate is attributable to the fact that Jordan's Ministry of Education applies the system of automatic progression through the various grades, which might have an adverse effect on the extent to which students diligently endeavour to raise the standard of their academic achievement. We believe that the Ministry of Education should formulate programmes to remedy the system's effects on this category of student by establishing special classes for students suffering from learning difficulties and by strengthening the role of the sociologists and educational supervisors.

97. With regard to drop-outs, the statistics show that the overall drop-out rate at the basic and secondary stages of education amounts to 1.6 per cent. This rate varies by region and age group, being higher in remote regions and at higher stages. 19/ A study on child labour in Jordan indicated that school drop-outs were one of the main adverse effects of the phenomenon of the employment of children. The study recommended that a working mechanism be devised to curb the phenomenon of child labour and rehabilitate and monitor school drop-outs as far as possible. 20/

98. The non-governmental organizations are emphasizing the need to focus on extracurricular as well as curricular school programmes by increasing the number of public libraries at government schools, particularly in remote regions. Charitable associations and women's federations are also emphasizing the need to establish public libraries both in and outside the schools, particularly in remote regions. The non-governmental organizations believe that there is also a need to increase the number of children's cultural

centres not only in the capital but also throughout the Kingdom and that charitable associations should help to establish such centres in rural and nomadic areas. The non-governmental organizations have noted that children's television programmes are aimed mainly at the 3-12 age group, for which cartoons are broadcast, while the 12-18 age group needs more comprehensive television programmes covering cultural and scientific fields that meet social, cultural and scientific requirements. Accordingly, the draft Jordanian Children's Rights Act focuses on children's culture and the importance of establishing libraries and cultural centres for children, particularly in remote regions. The draft Act also shows concern for the education of disabled children by stressing the importance of establishing playgrounds and cultural and recreational centres adapted to the needs of disabled children.

B. Child labour

99. Although the labour legislation places restrictions and conditions on the employment of children, and in spite of Jordan's ratification of international and Arab labour conventions, the phenomenon of child labour is constantly increasing.

100. A study on child labour was conducted in Jordan in an attempt to determine the reasons why children under the legal age sought employment and to identify the main problems that these children faced in the working environment, as well as the principal hazardous occupations in which children engaged and which affected their development, education and health. The study showed that the phenomenon of child labour was conspicuously widespread in low-income areas and was increasing everywhere. The study highlighted the shortcomings in the current Labour Act and in the legislation on education and social assistance. Its findings showed that the Act failed to provide the requisite protection for children working in family enterprises, agricultural activities and domestic service since a large number of women and children engaged in informal employment were not entitled to protection under the terms of the Act. The findings also showed that most of the children covered by the study were being exploited insofar as they were being paid low wages (50 per cent of the persons included in the sample earned less than 30 Jordanian dinars per month) and were working very long hours in excess of the legally permissible limits. The study also showed that working children were exposed to various occupational hazards such as injuries caused by sharp tools and moving machinery and burns suffered when handling inflammable gases and explosive substances. In addition, the study indicated that child employees were subjected to various forms of physical and psychological ill-treatment by their employers, including physical and sexual assault. According to the study, the high rates of poverty and unemployment and the lack of desire for education were among the main reasons for the entry of children into the labour market.

101. According to statistics and studies going back to the year 1991, working children in the 13-15 age group (93 per cent male and only about 6 per cent female) constitute 1 per cent of the total labour force. More recent statistics for the year 1996 paint a different picture by indicating that 1 per cent of females and 13 per cent of males in the 15-16 age group were working.

102. The principal factors motivating the employment of children include poverty, domestic violence and the academic environment in the schools. Although education is compulsory up to the age of 17, the phenomenon of school drop-outs still exists, particularly among females, for numerous reasons such as early marriage, the need to work in order to support a family, domestic service and the failure to enforce the penalties that Jordanian law prescribes in connection with school drop-outs and the employment of children. It has been noted that some children work on farms during their summer holiday for less than 1 dinar (about $1.25) for a 12-hour working day in an extremely harsh working environment that is detrimental to the health of these children. In this regard, the non-governmental organizations are calling upon the authorities to adopt an effective action strategy to change the laws and legislation concerning the employment of children and to exercise stricter control over this type of employment. They are also recommending that a comprehensive survey be conducted in all the governorates of the Kingdom in order to determine the extent of this phenomenon and devise appropriate solutions to deal with it.

C. Child road safety

103. According to the statistics, every year witnesses a sharp increase in the number of road accidents. In 1997, 39,000 road accidents were recorded in which 557 persons died (an average of 107 accidents per day). This was 15 per cent higher than the corresponding figure for 1996. Sources at the Traffic Department have indicated that 32 per cent of the total number of persons injured in road accidents are children and the highest rates of mortality in such accidents is found among children (35 per cent, 34 per cent, 31 per cent, 25.5 per cent and 28 per cent respectively in the years 1993, 1994, 1995, 1996 and 1997). According to the same sources, the main causes of road accidents in general are the failure to use seat belts, the lack of protective systems in vehicles, excessive speed and non-compliance with traffic regulations. With regard to the causes of injuries to children, it has been found that most of these injuries occur when children sit in the front seat, when they fail to use seat belts or the special child restraint systems or when they alight rapidly from vehicles before their parents. 21/

104. A major and as yet unsolved problem lies in the fact that children are exposed to numerous accidents when crossing roads in view of the lack of safe pedestrian crossings. Moreover, from the traffic standpoint, many schools are inappropriately located on congested main roads. This problem needs to be addressed.

105. In the light of the above statistics, which indicate that this problem is reaching alarming proportions due to the constant increase in the number of child victims of traffic accidents, the non-governmental organizations believe that the question of child road safety should give rise to concern. We are calling for the organization of public information campaigns concerning means to ensure the safety of children on the roads and the promulgation of the requisite legislation in this connection as soon as possible. We are also calling for the implementation of programmes to protect children from road accidents by increasing the number of traffic lights, posting policemen at the approaches to schools, inviting healthy retired persons to participate in protection programmes, intensifying public awareness programmes through the

various information media, increasing the number of recreation parks for children, particularly in poverty-stricken areas, and mobilizing all available resources to help to achieve this aim.

D. Health

1. AIDS

106. The principal source of concern in the health field is the danger of the spread of AIDS and the lack of any effective means to prevent its proliferation. Officials are remarkably reticent when speaking of this scourge and attempt to belittle the risks of it spreading in the country in spite of the existence of numerous indicators showing that this epidemic is increasing due to tourism, trade and university education abroad. This problem is further aggravated by the social obstacles that prevent the reporting of cases. According to the official statistics, the number of cases currently amounts to at least 174 (136 cases among men and 38 cases among women) and the number of infected children under 19 years of age amounts to 27 (4 cases among children up to 4 years of age, 18 in the 5-14 age group and 5 in the 15-19 age group). 22/ However, it is believed that these figures do not accurately reflect the incidence of this disease since some cases are probably not reported due to ignorance or fear of the social consequences. The changes that have taken place in society, such as the increasingly widespread use of narcotic drugs, the loosening of traditional family ties, the increase in sexual relations outside wedlock and the low level of awareness concerning the ways in which this disease is transmitted and the means to prevent it, are undoubtedly conducive to the rapid spread of this disease and are impeding the efforts made to curb it. In this connection, we are calling for concerted efforts at all levels to deal with this lethal scourge, which is threatening the health of our children, before it gets out of control.

2. The spread of cancer

107. According to the statistics compiled by the Ministry of Health for 1996, children under 18 years of age account for 12 per cent of the total number of cancer patients in the country. 23/ However, this figure does not truly reflect the overall incidence of cancer since it includes only cases registered at the Ministry of Health and excludes those registered at private hospitals. The Amal Cancer Centre has established a special department for children infected with this disease, who constituted 7.9 per cent of the total number of hospital in-patients on 31 May 1998. 24/ This percentage can be regarded as an indicator of the threat to the health of Jordan's children and is a source of concern. Accordingly, the non-governmental organizations are calling for the intensification of efforts to determine the causes of the spread of cancer among children so that solutions can be proposed in order to control it.

3. Shortage of vaccines

108. There is a need for the Ministry of Health to develop a national vaccination programme including the MMR vaccine which, although important, is costly and beyond the means of most poor families.

4. Services provided by the maternity and child centres

109. The maternity and child centres provide free ante- and post-natal services comprising examinations, vaccinations and protection from malnutrition through the administration of tonics. These services continue from the beginning of pregnancy until the child reaches the age of six.

110. There is a need for the Ministry of Health to extend its services in this field to older categories of children and also to consider a comprehensive health insurance scheme under which children in all age groups (0-18) would be covered free of charge.

E. Disabled children and children with special needs

111. Although Jordan is showing concern for disabled children and children with special needs, the full extent of this problem among children has not yet been precisely determined. According to the available data, only 15-20 per cent of the total number of disabled persons are receiving planned and programmed care at the centres, institutions and schools in the public and private sectors, while the proportion of disabled persons in Jordan amounts to 2 per cent. Ten organizations and institutions are supervising 11 programmes under which about 20,000 disabled persons are benefiting from services. The government and private schools absorb 10 per cent of those suffering from minor disabilities. Accordingly, there is a need to formulate a national plan in which the private sector would participate more effectively and through which local communities would play a more active role in the quest for a solution to this problem. The number of boarding establishments providing care for various categories of disabled persons amounts to only about 7 per cent of the total number of establishments (160) from which 710 disabled persons are benefiting. This implies a severe shortage of boarding establishments for which there is the greatest need, particularly in order to care for the severely disabled. The statistics also show that about 70 per cent of the centres for the disabled are operating in rented premises which are ill-suited to the disabled and lack the environmental facilities that are customarily found in buildings for the disabled. With regard to the health care of disabled persons, the statistics indicate that only 1 medical practitioner, 14 male and female nurses, 7 nursing assistants and 7 physiotherapists are providing health services for all the disabled persons attending the 13 special education centres run by the Ministry of Social Development and the number of medical practitioners and nurses at the centres run by the private sector is very low, amounting to less than 10 per cent of the actual requirement by international standards. Reference must also be made to the importance of the effective implementation of the Welfare of the Disabled Act No. 12 of 1993, particularly in regard to the employment of disabled persons in the labour market, the provision of appropriate health care and the integration of disabled persons in the government schools (pp. 20-24). 25/

F. Cigarette and narghile smoking

112. Smoking, in itself, is a flagrant and typical violation of the rights of the child which, unfortunately, was regarded as acceptable in our society. However, this situation has no longer been acceptable since it became clear

that smoking has detrimental effects not only on smokers but also on persons around them and particularly children. In fact, children are the principal victims of passive smoking, which has an adverse effect on them even before they are born, especially if their mothers smoke. Even if only one of their parents is a smoker, children are exposed to repeated inflammations and functional disorders of the respiratory system and the middle ear, as well as asthma and other diseases. Moreover, when parents smoke their children are encouraged to imitate them by also resorting to this harmful habit. The non-governmental organizations are therefore calling for joint endeavours in the following fields:

(i) Promulgation of legislation strictly prohibiting the sale of tobacco to children;

(ii) An attempt to ensure that shops selling tobacco are not located near schools;

(iii) Prohibition of the sale of cigarettes by children on the streets;

(iv) Monitoring of the implementation of Directive No. 64 of 1977, concerning the protection of public health from the dangers of smoking, which prohibits smoking in public places and in schools and kindergartens by persons working in those institutions;

(v) Formulation of special programmes to combat the phenomenon of smoking;

(vi) Intensification of public information programmes concerning the dangers of smoking;

(vii) Designation of places in which children are present as smoke-free areas.

113. The smoking of narghiles is a baneful and repugnant phenomenon in any civilized society that wishes to give a true and attractive impression of its country. The sight of our young men and women smoking narghiles at the cafés that can be found in all districts of the capital, and particularly in the wealthy districts, wasting hours blowing thick smoke from their mouths and noses without any concern for the young persons and children around them, paints a bleak picture of the dissolute and inconsiderate behaviour of our young men and women. The non-governmental organizations are therefore calling for joint endeavours by all official and private bodies to combat and curb this phenomenon through the promulgation of legislation prohibiting smoking in cafes and public places.

G. Use of narcotic drugs

114. The increasingly widespread use of narcotic drugs among young persons is a disturbing phenomenon in Jordan. According to sources at the Anti-Drug Department, the number of persons involved in drug-related cases is constantly increasing and the statistics for 1997 show that the number of cases in which arrests were made amounted to 413, which is 51 per cent higher than the corresponding figure for 1996.

115. The statistics also show that, in the years 1995 and 1996, 47 cases of drug use were discovered among persons under 20 years of age, who constituted 5.7 per cent of the total number of drug users of all ages during that period. 26/ This figure is causing concern to the non-governmental organizations, which have implemented public information programmes to curb this phenomenon and are emphasizing the need for a more precise statistical analysis in order to determine the age groups of drug users, the number of users among children under 18 years of age and the type of drugs that they are using.

116. According to the sources, young persons from 20 to 29 years of age exhibit the highest rate of drug use and heroin is the drug most widely used. It has also been found that many persons use tranquillizers, which are not included on the list of dangerous drugs and are easily obtainable at pharmacies, and this is causing concern to the non-governmental organizations. They are also concerned at the spread of the phenomenon of drug use among young women since, although the number of young women arrested in drug-related cases in the years 1995, 1996 and 1997 amounted to only 21, 27/ this is a significant number in a conservative society such as that in Jordan.

H. Begging

117. According to sources at the Ministry of Social Development, 611 children were arrested for begging in the Kingdom in 1997. The same sources also estimate that there are about 2,000 child beggars in the Kingdom. 28/ Careful attention should be paid to this phenomenon, which should be dealt with before it worsens, by taking the necessary steps and measures to protect these children and punish those who use them for purposes of begging. The draft Jordanian Children's Rights Act contains provisions that prohibit the use of children to beg for money and prescribes penalties for anyone who uses a child for purposes of begging or encourages or incites a child to engage therein. The penalty is increased if children are used in this way in a collective and organized manner.

118. The non-governmental organizations should also establish special institutions to care for and supervise vagrants and beggars in collaboration with the Ministry of Social Development.

I. The environment

119. Jordan covers an area of 89,000 km^2 and has a population density of 46 persons per km^2. The population growth rate amounts to 4.3 per cent, which is one of the world's highest rates. Jordan's per capita consumption of water for all purposes is 168 m^3 per year, while per capita domestic consumption amounts to 85 litres per day. It is noteworthy that States with a per capita consumption of less than 1,000 m^3 for all purposes are deemed to be suffering from a water deficit. Less than 1 per cent of the area of Jordan is forested and only 3 per cent of its territory is fertile arable land. There are a quarter of a million vehicles in Jordan and the amount of solid waste is estimated at 1 kg per capita per day. There is every indication that Jordan will witness a further deterioration in its environmental situation due to the growing population and the increasing pressure on its limited resources. 29/

120. The misuse of modern technologies, including insecticides, is causing concern to the non-governmental organizations. According to the Ministries of Health and Agriculture, DDT was used to exterminate mosquitoes that carried malaria, but the import of this and other types of chlorinated hydrocarbon insecticides ceased three years ago. It is noteworthy that this type of insecticide, which dissolves in fatty and protein cells, has been the subject of an international ban for decades. Some studies that were conducted only two years ago showed that the milk of mothers in the Jordan Valley and in agricultural areas contained DDT. This is giving rise to considerable anxiety concerning the extent to which the ban on the use of this type of insecticide is being enforced, since the same studies indicate that the percentage of chlorinated hydrocarbon substances in the bodies of children is high and exceeds the internationally acceptable level. 10/ This information is disturbing, particularly in view of the notable increase in the incidence of cancer in Jordan. The response of the official authorities to the fears expressed concerning DDT is also disturbing since, in a report dated 2 April 1993, the governmental technical committee assigned to study the use of DDT stated that there was no categoric proof that DDT caused cancer in humans; it was merely regarded as one of the insecticides that might cause cancer. The dangers of this type of insecticide should therefore be a source of concern to the authorities.

121. The non-governmental organizations are also concerned that the use of hormones and chemical fertilizers in agriculture is not strictly controlled given their harmful effect on the health of children. The non-governmental organizations are therefore calling for stricter control of the improper use of these substances and the promotion of greater public awareness through workshops and symposia devoted to such issues. The non-governmental organizations are also disturbed by a number of other issues, such as the water purification system and the environmental pollution caused by the waste that is buried in some parts of the Kingdom.

J. Lead

122. Jordan is still largely dependent on leaded fuel. Although recently imported vehicles are equipped with catalytic converters for the use of unleaded petrol, this type of petrol is available at only a limited number of service stations in Jordan and, therefore, ordinary leaded petrol is used. In addition, many cars, trucks and buses are still emitting toxic gases on the roads, which is illegal since they are required to undergo a periodic test to ascertain the soundness of their combustion systems in order to reduce the level of exhaust emissions which pollute the environment and affect human health in general and the health of children in particular. For these reasons, and particularly in view of the fact that lead is a substance that is highly detrimental to the health of citizens, and especially children, we are calling upon the competent authorities to intensify their efforts in this field, in collaboration and coordination with the Environmental Protection Association and the non-governmental organizations concerned with environmental issues, and to impose penalties on persons who show no consideration for the environment and human lives.

123. Finally, having reviewed the issues and phenomena that are still causing concern to all persons seeking the welfare of children, the non-governmental

organizations hope that official, private, international and local bodies, local communities, families and children themselves will collaborate and coordinate their endeavours to solve these problems and formulate programmes to address the issues dealt with in this report. We also hope that the periodic report for the year 2003 will give details of programmes of action that have been implemented on the basis of the recommendations contained in this report since such programmes would benefit Jordan's children and ensure their best interests.

Notes

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30/ K. Nasir, Y. Bilto and Y. Al-Shuraiki. Residues of chlorinated hydrocarbon insecticides in human milk of Jordanian women (to be published in the International Journal of Environmental Pollution), 1998.

List of Annexes*

1. Strategy document of the National Task Force for Children.

2. Draft Jordanian Children's Rights Act.

3. Draft proposed amendments to the provisions concerning child abuse in the Jordanian Penal Code.

4. Study on child labour in Jordan.

5. Achievements made in the programmes of the National Plan of Action for Children within the framework of the Convention on the Rights of the Child.

6. Extracts from local newspapers concerning the workshop to discuss Jordan's periodic report for 1998, to be submitted to the Committee on the Rights of the Child, concerning the implementation of the provisions of the Convention on the Rights of the Child.

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* Available for consultation with the secretariat.